

5661. By Mr. COPLEY: Petition of Esther Murray and others of St. Mary's rectory, Elgin, Ill., protesting against the Smith-Towner bill; to the Committee on Education.

5662. By Mr. DARROW: Petition of the Donald T. Shenton Pest, No. 130, American Legion, Philadelphia, Pa., urging passage of the Rogers bill; to the Committee on Interstate and Foreign Commerce.

5663. Also, petition of the Poor Richard Club, of Philadelphia, Pa., in favor of the daylight-saving legislation; to the Committee on Interstate and Foreign Commerce.

5664. Also, petition of the New Century Club, of Philadelphia, Pa., urging the passage of the Esch-Jones bill (H. R. 14469); to the Committee on Interstate and Foreign Commerce.

5665. By Mr. FULLER: Petition of D. O. Thompson, secretary of the Illinois Agricultural Association, favoring the passage of the bill to regulate the packing industry; to the Committee on Agriculture.

5666. By Mr. GALLIVAN: Petition of Submarine Signal Co. and Commonwealth Trust Co., both of Boston, Mass., urging the passage of the Nolan bill (H. R. 15662); to the Committee on Patents.

5667. Also, petition of Ladies' Catholic Benevolent Association, Alice C. Maloney, Massachusetts supreme trustee, representing 10,000 members in Massachusetts, and petition of Liberty St. Alphonsus Association, of Boston, Frank V. Ward, president, all in the State of Massachusetts, protesting against the passage of the Smith-Towner bill; to the Committee on Education.

5668. By Mr. KELLY of Pennsylvania: Petition of Young Men's Catholic Society of Pittsburgh, Pa., protesting against the Smith-Towner bill; to the Committee on Education.

5669. By Mr. SMITH of Michigan: Petition of V. C. Squier Co., of Battle Creek, Mich., protesting against the free entry of wound musical strings; to the Committee on Ways and Means.

5670. By Mr. SNELL: Petition of Daughters of Isabella of Court Mary Elizabeth No. 256, Lake Placid, N. Y., protesting against the passage of the Smith-Towner bill; to the Committee on Education.

5671. Also, petition of sundry citizens of St. Regis Falls, N. Y., protesting against the passage of the Smith-Towner bill; to the Committee on Education.

5672. Also, petition of sundry citizens of the town of West Chazy, N. Y., opposing the passage of the Smith-Towner bill; to the Committee on Education.

5673. By Mr. STINESS: Petition of Commodore Perry Council No. 14, Junior Order United American Mechanics, of Wakefield, R. I., protesting against the admission into this country of undesirable and illiterate immigrants; to the Committee on Immigration and Naturalization.

5674. By Mr. THOMPSON: Petition of certain citizens and voters of Defiance County, Ohio, protesting against the Smith-Towner bill; to the Committee on Education.

SENATE.

FRIDAY, February 11, 1921.

(Legislative day of Wednesday, February 2, 1921.)

The Senate met at 11 o'clock a. m., on the expiration of the recess.

CREDENTIALS.

The VICE PRESIDENT laid before the Senate a certificate of the governor of Nevada certifying to the election of TASKER L. ODDIE as a Senator from that State for the term of six years, beginning March 4, 1921, which was read and ordered to be filed, as follows:

STATE OF NEVADA,
Executive Department.

To the PRESIDENT OF THE SENATE OF THE UNITED STATES:

This is to certify that at a general election held in the State of Nevada on Tuesday, the 2d day of November, 1920, TASKER L. ODDIE was duly elected by the qualified electors of the State of Nevada a Senator from said State to represent said State in the Senate of the United States for the term of six years, beginning on the 4th day of March, 1921, having received the highest number of votes cast for said office at said election, as appears by the certificate of the duly constituted and qualified board of canvassers now on file in the office of the secretary of state at Carson City, Nev.

Witness: His excellency our governor, Emmet D. Boyle, and our seal hereto affixed at Carson City this 21st day of December, in the year of our Lord 1920.

EMMET D. BOYLE, Governor.

By the governor:
[SEAL.]

GEORGE BRODIGAN, Secretary of State.
By R. P. BURRIS, Deputy.

CUSTOMS STAMPS (S. DOC. NO. 383).

The VICE PRESIDENT laid before the Senate a communication from the Secretary of the Treasury, suggesting a paragraph of legislation for inclusion in the pending deficiency bill increasing the number of sheets of customs stamps to be delivered by the Bureau of Engraving and Printing during the current fiscal year, which was referred to the Committee on Appropriations and ordered to be printed.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by W. H. Overhue, its assistant enrolling clerk, announced that the House had passed the bill (H. R. 15962) making appropriations to supply deficiencies in appropriations for the fiscal year ending June 30, 1921, and prior fiscal years, and for other purposes, in which it requested the concurrence of the Senate.

The message also announced that the Speaker of the House had signed the following enrolled bills and joint resolution, and they were thereupon signed by the Vice President:

S. 4515. An act to extend the time for the construction of a bridge across the navigable waters of the Newark Bay, in the State of New Jersey;

S. 4541. An act to extend the time for the construction of a bridge across the Susquehanna River at Harrisburg, Pa.;

S. 4587. An act granting the consent of Congress to the counties of Brooks and Lowndes, in the State of Georgia, to construct a bridge over the Withlacoochee River;

S. 4603. An act to revive and reenact the act entitled "An act to authorize the Gulf Ports Terminal Railway Co., a corporation existing under the laws of the State of Florida, to construct a bridge over and across the headwaters of Mobile Bay and such navigable channels as are between the east side of the bay and Blakely Island, in Baldwin and Mobile Counties, Ala.," approved October 5, 1917;

S. 4737. An act authorizing the Prescott Bridge Co. to construct a bridge across Lake St. Croix at or near the city of Prescott, in the State of Wisconsin;

S. 4787. An act granting consent for the construction, maintenance, and operation of a bridge across the Delaware River from the city of Philadelphia, Pa., to the city of Camden, N. J.;

S. 4825. An act to extend the time for the construction of a bridge across the Columbia River between the States of Oregon and Washington at or within 2 miles westerly from Cascade Locks, in the State of Oregon;

S. 4896. An act to revive and reenact the act entitled "An act to authorize the Hudson River Connecting Railroad Corporation to construct a bridge across the Hudson River, in the State of New York," approved March 13, 1914;

S. 4949. An act to authorize the building of a bridge across the Santee River in South Carolina;

S. 4950. An act to authorize the building of a bridge across the Pee Dee River in South Carolina;

S. 4951. An act to authorize the building of a bridge across the Wateree River in South Carolina; and

S. J. Res. 186. Joint resolution to extend the authority of the county of Luzerne, State of Pennsylvania, to construct a bridge across the north branch of the Susquehanna River from the city of Wilkes-Barre, county of Luzerne, Pa., to the borough of Dorranceton, county of Luzerne, Pa.

PETITIONS AND MEMORIALS.

Mr. MOSES presented resolutions of Villa Marcia, Association Canado-Americaine, and Cour Les Montagnards, Association Canado-Americaine, both of Claremont, N. H., remonstrating against the enactment of legislation to create a department of education, which were referred to the Committee on Education and Labor.

Mr. PAGE presented a petition of sundry citizens of Chester and Delaware Counties, Pa., praying for the enactment of legislation to reduce armaments, and also favoring a naval holiday, which was referred to the Committee on Foreign Relations.

Mr. BALL presented memorials of Kate Dougherty, Rosalie F. Pool, Paul Dougherty, C. W. Zolper, Z. A. Pool, James A. Harty, Frank J. Harty, Mae A. Hughes, Ellen V. O'Dwyer, Lucy Peach, Helen Gleeson, Pauline E. Piebling, Nan A. Neary, Cecelia M. Hamill, and William J. Reader, jr., all of Wilmington, Del., and sundry citizens of Milford, Del., remonstrating against the enactment of legislation to create a department of education, which were referred to the Committee on Education and Labor.

He also presented memorials of Marion Dougherty, George R. Dougherty, and John J. Dougherty, all of Wilmington, Del., remonstrating against the enactment of legislation to create a department of education, which were referred to the Committee on Education and Labor.

Mr. CULBERSON presented a telegram in the nature of a memorial signed by John F. Murphy and sundry other citizens of Dallas, Tex., remonstrating against the enactment of legislation to create a department of education, which was referred to the Committee on Education and Labor.

Mr. CAPPER presented a telegram in the nature of a memorial of Sacred Heart Council No. 723, Knights of Columbus, of Atchison, Kans., remonstrating against the enactment of legislation creating a department of education, which was referred to the Committee on Education and Labor.

He also presented a resolution of the Farmers' Educational and Cooperative Union of America, Local Union No. 1459, of Mercer County, Mo., favoring legislation prohibiting gambling in grain products, which was referred to the Committee on Agriculture and Forestry.

He also presented a petition of High Prairie Local Union, No. 1588, Farmers' Educational and Cooperative Union of America, of Huron, Kans., praying for the enactment of legislation to prohibit gambling in grain products, which was referred to the Committee on Agriculture and Forestry.

Mr. HALE presented a resolution of the Legislature of Maine, which was ordered to lie on the table, as follows:

STATE OF MAINE,
HOUSE OF REPRESENTATIVES,
January 21, 1921.

Joint resolution by the Senate and House of Representatives of the eightieth Legislature of the State of Maine.

Whereas all Federal aid for highway improvement provided by acts of Congress approved July 11, 1916, and February 28, 1919, has been apportioned to the States in accordance with the terms of said acts; and

Whereas there is now pending in Congress a bill introduced by Representative McARTHUR providing for a continuance of Federal aid in the amount of \$100,000,000 per year for each of the four fiscal years beginning July 1, 1921: Now, therefore be it

Resolved, That it is the sense of the Legislature of Maine that said McArthur bill should have a prompt passage by Congress and we hereby request our Senators and Representatives to work for and vote for the passage of said bill: And be it further

Resolved, That the secretary of state be instructed to furnish forthwith to each of the Maine Senators and Representatives in Congress a certified copy of this resolution.

Read and adopted. Sent up for concurrence.

CLYDE R. CHAPMAN, Clerk.

In senate chamber, January 25, 1921. Read and adopted in concurrence.

L. ERNEST THORNTON, Secretary.

UNITED STATES OF AMERICA,
STATE OF MAINE, OFFICE OF SECRETARY OF STATE.

I, Frank W. Ball, secretary of state of the State of Maine, and custodian of the seal of said State, do hereby certify:

That I have carefully compared the annexed copy of joint resolution of the Senate and House of Representatives of the State of Maine in legislature assembled, with the original thereof, and that it is a full, true, and complete transcript therefrom and of the whole thereof.

In testimony whereof I have caused the seal of the State to be hereunto affixed. Given under my hand at Augusta this 4th day of February, in the year of our Lord 1921, and in the one hundred and forty-fifth year of the independence of the United States of America.

[SEAL.]

FRANK W. BALL,
Secretary of State.

ROBERT W. FARRAR.

Mr. McCUMBER, from the Committee on Pensions, to which was referred the amendment intended to be proposed by him to House bill 15962, the general deficiency bill, proposing to pay to Robert W. Farrar for extra and expert services rendered to the Committee on Pensions during the sessions of the Sixty-sixth Congress \$1,200, reported it favorably and moved that it be referred to the Committee on Appropriations, which was agreed to.

BILL AND JOINT RESOLUTIONS INTRODUCED.

A bill and joint resolutions were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. TRAMMELL:

A bill (S. 5009) to extend the provisions of the existing bounty-land laws to the officers and enlisted men and officers and men of the boat companies of the Florida Seminole war; to the Committee on Public Lands.

A joint resolution (S. J. Res. 257) providing for a survey of the Suwannee River from Ellaville, Fla., to the Gulf; and

A joint resolution (S. J. Res. 258) providing for a survey of East Pass between the Gulf of Mexico and Choctawhatchee Bay, State of Florida; to the Committee on Commerce.

AMENDMENTS TO APPROPRIATION BILLS.

Mr. SWANSON submitted an amendment proposing to appropriate \$100,000,000, to aid in the construction of roads, etc., intended to be proposed by him to the Post Office appropriation bill, which was ordered to lie on the table and to be intended.

Mr. McCUMBER submitted an amendment proposing to pay to Walston H. Brown, sole surviving partner of the firm of Brown, Howard & Co., the sum of \$65,792.53; to the Philadelphia & Reading Coal & Iron Co., the sum of \$26,400.30; and to the estate of Henry A. V. Post, the sum of \$50,359.35, as adjudged by the Court of Claims upon its findings of fact, etc., intended to be proposed by him to the general deficiency appropriation bill, which was referred to the Committee on Appropriations and ordered to be printed.

Mr. ROBINSON submitted an amendment intended to be proposed by him to the legislative, etc., appropriation bill, which was ordered to lie on the table and be printed in the RECORD, as follows:

After the items for the Bureau of Immigration on page 147, after line 23, to insert:

Division of Information: Chief, \$3,500; assistant chief, \$2,500; clerks—2 of class 4, 1 of class 3, 2 of class 2, 3 of class 1, 1 \$900; messenger; in all, \$19,340.

M. H. BUMPHEY.

Mr. SMITH of Arizona submitted a resolution (S. Res. 445), which, with the accompanying papers, was referred to the Committee on Rules, as follows:

Resolved, That the Sergeant at Arms of the Senate be, and he is hereby, authorized and directed to place upon the roll of messengers in the employ of the Senate, the name of M. H. Bumphey, the same to be borne thereon in accordance with the provisions of Senate resolution No. 72, agreed to on July 14, 1911, at a compensation at the rate of \$1,440 per annum, such compensation to be paid from the contingent fund of the Senate until otherwise provided for by law.

HEIRS OF A. R. VERMILLION, DECEASED.

Mr. SMITH of Maryland submitted a resolution (S. Res. 446), which was referred to the Committee to Audit and Control the Contingent Expenses of the Senate, as follows:

Resolved, That the Secretary of the Senate be, and he hereby is, authorized and directed to pay from the miscellaneous items of the contingent fund of the Senate to H. M. Vermillion, Ella M. Nessmith, Viola Keppler, and Olga M. Hunter, son and daughters of A. R. Vermillion, late a policeman in the Capitol (authorized by the sundry civil act), a sum equal to six months' compensation at the rate he was receiving by law at the time of his death, said sum to be considered as including funeral expenses and all other allowances.

CAPT. EDMUND G. CHAMBERLAIN, UNITED STATES MARINE CORPS.

Mr. SHEPPARD submitted a resolution (S. Res. 447), which was referred to the Committee on Naval Affairs, as follows:

Resolved, That the Naval Affairs Committee is authorized and directed to investigate the facts leading to the court-martial, as well as the court-martial proceedings, and all the findings in the case of former Capt. Edmund G. Chamberlain, United States Marine Corps, and report to Congress.

HOUSE BILL REFERRED.

The bill (H. R. 15962) making appropriations to supply deficiencies in appropriations for the fiscal year ending June 30, 1921, and prior fiscal years, and for other purposes, was read twice by its title and referred to the Committee on Appropriations.

LEGISLATIVE, EXECUTIVE, AND JUDICIAL APPROPRIATIONS.

Mr. McCUMBER. Mr. President, I ask unanimous consent that the unfinished business, House bill 15275, may be temporarily laid aside for the purpose of taking up for consideration the legislative, executive, and judicial appropriation bill.

The VICE PRESIDENT. Is there objection? The Chair hears none, and it is so ordered.

Mr. WARREN. I ask that the appropriation bill may be proceeded with.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill (H. R. 15543) making appropriations for the legislative, executive, and judicial expenses of the Government for the fiscal year ending June 30, 1922, and for other purposes, which had been reported from the Committee on Appropriations with amendments.

Mr. WARREN. I ask that the formal reading of the bill may be dispensed with, that the bill be read for amendment, and that the committee amendments be first considered.

The VICE PRESIDENT. Is there objection? The Chair hears none, and it is so ordered.

Mr. FLETCHER. Mr. President, I suggest the absence of a quorum.

The VICE PRESIDENT. The Secretary will call the roll.

The reading clerk called the roll, and the following Senators answered to their names:

Borah	Dillingham	Glass	Kendrick
Brandegge	Elkins	Gooding	Kenyon
Calder	Fernald	Gronna	Keyes
Capper	Fletcher	Hale	Kirby
Culbertson	France	Harris	Lenroot
Curtis	Gay	Heflin	Lodge
Dial	Gerry	Jones, Wash.	McCumber

McKellar	Poindexter	Smith, Ga.	Underwood
McLean	Pomerene	Smith, S. C.	Walsh, Mass.
McNary	Ransdell	Smoot	Walsh, Mont.
Moses	Reed	Spencer	Warren
Myers	Robinson	Sterling	Williams
Nelson	Sheppard	Sutherland	Wolcott
New	Simmons	Thomas	
Pittman	Smith, Ariz.	Trammell	

Mr. GRONNA. I was requested to announce that the senior Senator from Wisconsin [Mr. LA FOLLETTE] is absent, engaged in a hearing before the Committee on Manufactures.

The VICE PRESIDENT. Fifty-eight Senators have answered to the roll call. There is a quorum present. The Secretary will proceed with the reading of the bill.

The reading clerk proceeded to read the bill.

The first amendment of the Committee on Appropriations was, on page 1, line 8, in the items for the office of the Vice President, to strike out "telegraph operator" and insert "clerk," so as to read "Clerk, \$1,500."

Mr. WARREN. I ask that the amendment be disagreed to. The amendment was rejected.

Mr. WARREN. I now move to amend, in line 8, page 2, by striking out the words "telegraph operator, \$1,500; page, \$600," and inserting in lieu thereof "messenger, \$1,000."

The amendment was agreed to.

Mr. MOSES. Is it the purpose of the amendment just agreed to to deprive the office of the Vice President of one clerk?

Mr. WARREN. I think I shall have to explain the amendment. Away back in the olden days we had a very valuable employee to handle the telegraph business. That was before we had telephones and before any arrangement had been made by the telegraph companies to operate branch offices in the Capitol. The consequence was that we provided that the Vice President should appoint a telegrapher, and Congress would pay him. He had his office at another place in the Capitol.

Since that time we have had the telephone service installed, and the telegraph companies have both put in offices to take care of that business. The Vice President has no use for a telegraph operator and suggests that he is unnecessary to that office, but has suggested the desirability of striking out "page, \$600," and putting in "messenger, \$1,000." Hence the amendment which I have offered, which has just been agreed to.

The VICE PRESIDENT. The Chair may supplement what has been said by stating that the telegraph operator is not an employee who belongs to the office of the Vice President. That office has never had any use for such an employee. The Chair thinks that the incoming Vice President, instead of having a page should have some one larger than a page, a messenger at \$1,000 a year to look after the office.

Mr. WARREN. On page 2, line 9, after the words "in all," I move to strike out "\$7,700" and insert "\$6,600."

The amendment was agreed to.

The reading of the bill was resumed.

The next amendment of the Committee on Appropriations was, in the items for the office of the Secretary of the Senate, page 2, line 18, to strike out "file clerk, chief bookkeeper, and assistant Journal clerk, at \$2,500 each" and insert "chief bookkeeper, \$2,500," so as to read:

Office of Secretary: Secretary of the Senate, including compensation as disbursing officer of salaries of Senators and of contingent fund of the Senate, \$6,500; assistant secretary, Henry M. Rose, \$5,000; reading clerk, \$4,000; financial clerk, \$4,000; chief clerk, \$3,250; assistant financial clerk, \$3,250; minute and Journal clerk, principal clerk, librarian, enrolling clerk, and printing clerk, at \$3,000 each; executive clerk, \$2,750; chief bookkeeper, \$2,500.

Mr. WARREN. On page 2, line 18, before the words "file clerk," I move to strike out the half of the parenthesis which appears between the numerals "\$2,750" and the words "file clerk." It is unnecessary.

The amendment to the amendment was agreed to.

The amendment as amended was agreed to.

The reading of the bill was resumed.

The next amendment of the Committee on Appropriations was, on page 2, line 22, after the word "clerks," to strike out "three" and insert "two," so as to read "two at \$2,500 each."

Mr. WARREN. I ask that that amendment be disagreed to. The amendment was rejected.

The next amendment was, on page 2, line 22, after the word "each," to insert "(one of whom shall act as assistant Journal clerk and one of whom shall act as file clerk)."

The amendment was agreed to.

The next amendment was, on page 2, line 24, before the word "each," to strike out "four" and insert "two."

Mr. WARREN. On page 2, line 24, after the words "file clerk," I move to amend the committee amendment by striking out "4" and inserting "3."

Mr. JONES of Washington. The committee went into this matter pretty carefully, and I do not see why we should now change the committee amendment.

Mr. WARREN. Very well, let the amendment be agreed to as reported.

The VICE PRESIDENT. The question is on agreeing to the amendment of the committee.

The amendment was agreed to.

The reading of the bill was resumed.

The next amendment of the Committee on Appropriations was, on page 2, line 24, after the word "each," to strike out "2 at \$2,100 each" and insert "1 \$2,100," and in line 25, to strike out "1 \$1,800, 2 at \$1,600 each" and to insert "1 \$1,750," so as to read:

One \$2,100, 1 \$1,750.

The amendment was agreed to.

The next amendment was, on page 3, line 4, in the total of the appropriation for the office of the Secretary of the Senate, to strike out "\$97,590" and to insert "\$80,800."

Mr. WARREN. Mr. President, I think that total should be corrected.

The VICE PRESIDENT. If there be no objection, the Secretary will be authorized to correct the totals in the bill.

Mr. WARREN. I ask that the Secretary may correct the totals and also the punctuation.

The VICE PRESIDENT. The Chair hears no objection, and the Secretary is authorized to correct the totals.

The reading of the bill was resumed.

The next amendment of the Committee on Appropriations was, on page 3, line 6, in the items for the document room, to strike out the name "John W. Lambert."

Mr. McKELLAR. May I ask the chairman of the committee about that amendment? I hope that the amendment may not be agreed to. Mr. Lambert is one of the most valuable men in the employ of the Senate.

Mr. WARREN. Mr. President, there is not the slightest disrespect intended to Mr. Lambert, and there is no intention of displacing him; on the contrary, there is every intention that he may work in the office where he is employed for his lifetime if he so desires; but the proposition is this: In times past it has been quite the thing to put into the bill the names of certain employees. From time to time, however, that practice has been discontinued as the employees named in the bill died or left the service; and now if we leave Mr. Lambert's name in as first assistant in the document room that privilege will be accorded him while the chief of that room will not be named. When the former head of that office was named in the bill Mr. Lambert occupying the next position was also named; but now the name of Mr. Lambert is the last one written in the bill, other than that of the Assistant Secretary of the Senate, so far as the provisions affecting the Senate are concerned.

Formerly the name of the first clerk of the Appropriations Committee was placed in the bill, or rather there was a provision that he should receive a certain salary during his term of service and that the salary should be less in the event a successor to him was appointed. The same thing was true of the financial clerk and others. That was done in the effort to take care of some of the older and very valuable employees of the Senate. Mr. Lambert has not been in the employ of the Senate long enough to entitle him to be named in the bill in any event. He is a valued man, but there have been no other employees named in the bill with the exception I have indicated. When the name of the head of the document room was in the bill it was not so much against the principles of good legislation that the name of the assistant should also be placed in the bill, but now the committee, following out what they think a desirable practice, inasmuch as the head of the document room is not mentioned by name, has concluded it was best not to mention the first assistant by name.

Mr. McKELLAR. Mr. President, I merely wish to say that about two years ago this matter was under consideration and it was agreed by everybody, I think, at that time that Mr. Lambert was a most valuable man and that it should be arranged to mention him by name in the bill so that he could be retained because of the value of his services in the office where he is employed. I think every Senator on both sides of the Chamber will admit that he is a very painstaking, conscientious, splendid, and efficient man.

Mr. WARREN. Mr. President, I can not add anything to what I have said. Mr. Lambert is one of the best; but sitting at the Secretary's desk, performing duties in the Secretary's room, in the financial clerk's office, and elsewhere are employees who are almost indispensable, as is Mr. Lambert. Their names, however, do not appear in the bill. It is not good practice to place

the names in bills of this character, and was only permissible at the time Mr. Lambert was named—and I did not object to it at that time because the name of the head of the document room was placed in the bill, and we accorded the same privilege to the first assistant.

Mr. McKELLAR. It occurred to me that perhaps it was for the purpose of discontinuing his services.

Mr. WARREN. No; there is no such purpose.

Mr. SMOOT. Not in the least, I will say to the Senator. No Senator on this side of the Chamber would think for a moment of making a change, so far as I know.

I will add that, as the Senator from Wyoming has said, the practice was inaugurated in the House of putting in the names of certain employees in the appropriation bill, but now they have all been taken out with the exception of one or two. The name of Mr. Lambert was originally put in because the name of the chief of the document room was placed in the bill. Now, however, the name of the head of the document room is not in the bill, and it is desired to remove the name of the first assistant, but the appropriation for him is made just the same.

The VICE PRESIDENT. In order to complete the statement the Chair will say that he has examined the record, and the name of Henry M. Rose appears in the bill because the statute creating the office of Assistant Secretary appointed him to that place.

Mr. SMOOT. His is the only name that will appear in this bill?

Mr. WARREN. It is the only name that will appear in the bill relating to Senate employees. There may be the name of one or more House employees named in the bill, but that is a matter over which we have no control.

Mr. McKELLAR. I wish to express the hope that the name of Mr. Rose will appear in the bill so long as Mr. Rose wants it there, because everyone realizes what a valuable man he is.

The VICE PRESIDENT. It is fair to have it in the record that the statute which created the office of Assistant Secretary named Mr. Rose to that place, and so his name must appear in the bill.

Mr. McKELLAR. I withdraw the objection.

The VICE PRESIDENT. The question is on agreeing to the amendment reported by the committee.

The amendment was agreed to.

The reading of the bill was resumed.

The next amendment of the Committee on Appropriations was, on page 3, line 6, after the numerals "\$2,500," to strike out "assistants—1 \$2,250, 1 \$1,440; clerk, \$1,440," and insert "2 clerks, at \$1,440 each," and in line 8, to strike out "\$12,330" and insert "\$10,080," so as to make the paragraph read:

Document room: Superintendent, \$3,500; first assistant, \$2,500; 2 clerks, at \$1,440 each; skilled laborer, \$1,200; in all, \$10,080.

The amendment was agreed to.

The next amendment was, on page 5, line 25, in the items for office of Sergeant at Arms and Doorkeeper of the Senate, after the word "messengers," to strike out "four" and insert "five," and in the same line, after the word "doorkeepers" to insert "including one for minority," so as to read:

Messengers, five (acting as assistant doorkeepers, including one for minority), at \$1,800 each.

The amendment was agreed to.

The next amendment was, on page 6, line 8, in the items for office of Sergeant at Arms and Doorkeeper of the Senate, after the words "laborer in charge of private passage," to strike out "\$840" and insert "\$900."

The amendment was agreed to.

The next amendment was, on page 6, line 17, in the total for office of Sergeant at Arms and Doorkeeper of the Senate, to strike out "\$152,380" and insert "\$154,240."

The amendment was agreed to.

The next amendment was, on page 7, line 23, to strike out "\$7,000" and insert "\$10,000," so as to read:

For maintaining, exchanging, and equipping motor vehicles for carrying the mails, and for official use of the offices of the Secretary and Sergeant at Arms, \$10,000, or so much thereof as may be necessary.

The amendment was agreed to.

The next amendment was, on page 8, line 5, to strike out "\$10,000" and insert "\$5,000," so as to read:

For folding speeches and pamphlets, at a rate not exceeding \$1 per thousand, \$5,000.

The amendment was agreed to.

The next amendment was, on page 8, line 7, to strike out "\$1,500" and insert "\$2,500," so as to read:

For fuel, oil, cotton waste, and advertising, exclusive of labor, \$2,500.

The amendment was agreed to.

The next amendment was, on page 8, line 21, to strike out "\$25,000" and insert "\$100,000," so as to read:

For expenses of inquiries and investigations ordered by the Senate, including compensation to stenographers to committees, at such rate as may be fixed by the Committee to Audit and Control the Contingent Expenses of the Senate, but not exceeding \$1.25 per printed page, \$100,000.

The amendment was agreed to.

The next amendment was, on page 8, line 24, to strike out "\$30,000" and insert "\$40,000," so as to read:

For reporting the debates and proceedings of the Senate, payable in equal monthly installments, \$40,000.

The amendment was agreed to.

The next amendment was, on page 9, line 3, in the item for Capitol police, before the word "privates," to strike out "forty-seven" and insert "thirty-three"; in line 4, to strike out "10 additional privates, at \$840 each"; and in line 7, to strike out "\$65,550" and insert "\$42,450," so as to read:

CAPITOL POLICE.

For captain, \$1,800; 3 lieutenants, at \$1,200 each; 2 special officers, at \$1,200 each; 33 privates, at \$1,050 each; one-half of said privates to be selected by the Sergeant at Arms of the Senate and one-half by the Sergeant at Arms of the House; in all, \$42,450.

The amendment was agreed to.

The next amendment was, on page 22, line 23, to increase the appropriation for the legislative reference service in the Library of Congress from \$25,000 to \$35,000.

The amendment was agreed to.

The next amendment was, on page 25, line 9, in the items for Library building and grounds, before the word "laundress," to insert "book cleaner, \$720."

Mr. FLETCHER. Do I understand that is a new position entirely?

Mr. WARREN. It is entirely a new position. It is said to be necessary by the superintendent of the building, as at present he is compelled to take higher priced clerks to do the work, unless we provide for the employee specified.

Mr. FLETCHER. Very well.

The VICE PRESIDENT. The question is on agreeing to the amendment.

The amendment was agreed to.

The reading of the bill was resumed.

The next amendment of the Committee on Appropriations was, in the item for Library building and grounds, on page 25, line 17, to change the total from "\$91,545" to "\$92,265."

The amendment was agreed to.

The next amendment was, on page 26, after line 1, to insert the following proviso:

Provided, That within 30 days after the approval of this act the Secretary of War is authorized and directed to deliver to the Library of Congress, without payment therefor, one 1-ton truck.

The amendment was agreed to.

The next amendment was, on page 27, line 10, to insert the following proviso:

Provided, That within 30 days after the approval of this act the Secretary of War is authorized and directed to deliver to the Botanic Garden, without payment therefor, one 3-ton and one 1-ton truck.

Mr. FLETCHER. Mr. President, I understand the chairman of the committee and the members of the committee are sure that the Secretary of War has the trucks on hand which may be used for this purpose.

Mr. WARREN. Our information is that the Secretary has a great many of them that are standing idle, some of them unsheltered and almost uncared for.

Mr. SMOOT. There are thousands of them, I will say to the Senator.

Mr. WARREN. I will say, furthermore, that the House committee took the pains, as I am informed, by a subcommittee to go out and look at the trucks. This amendment and the one preceding were really in the House bill originally, but in the contention over there they went out on a point of order, and we have restored them.

Mr. FLETCHER. I think under those circumstances the trucks certainly ought to be used. The services indicated are good places to use them; but I was not quite sure whether the direction the bill contains to turn over one 3-ton truck and two 1-ton trucks could be carried out.

Mr. WARREN. Of course, if the Secretary of War has not the trucks, he can not deliver them, but I think he has them.

Mr. POMERENE. Mr. President, I am going to presume to offer the following amendment: On page 27, line 24, I move to strike out the figures "\$12,000" and insert "\$15,000."

Mr. WARREN. Mr. President, while I think many Senators would like to join with the Senator from Ohio in voting for such an amendment, he will have to wait, I think, under the unanimous-consent agreement, until the committee amendments shall have been disposed of.

Mr. POMERENE. Mr. President, because of the special situation existing I ask unanimous consent to offer the amendment now.

Mr. SMOOT. I will say to the Senator if the amendment proposed by him is agreed to, then we certainly will have to increase the salary of the Speaker of the House of Representatives accordingly.

Mr. POMERENE. I have no objection to that being done. I ask unanimous consent to offer the amendment.

The VICE PRESIDENT. Is there any objection? The Chair hears none.

Mr. UNDERWOOD. I ask that the amendment be stated.

The READING CLERK. On page 27, line 24, it is proposed to strike out "\$12,000" and insert "\$15,000," so as to read:

For compensation of the Vice President of the United States, \$15,000.

The VICE PRESIDENT. The question is on agreeing to the amendment of the Senator from Ohio.

The amendment was agreed to.

Mr. SMOOT. Mr. President, to insure that it will not be overlooked, I ask unanimous consent that in the proper place in the bill the appropriation of \$12,000 for the Speaker of the House may be changed to \$15,000. If that change is not made the question of the Speaker's salary could not go to conference. Therefore, I make that request.

Mr. LODGE. Why not?

Mr. SMOOT. Because the House has provided \$12,000 for the Speaker.

Mr. WARREN. Mr. President, I think I ought to say that while the House may contest that point, at the same time there is no exact parallel between the office of Speaker and the office of Vice President. The Vice President becomes the Acting President of the United States on many occasions, and always in the event of the President's inability or in case of a vacancy in the office, and he has consequently a great many more expenses than the Speaker has. So, without regard to the compensation of the Speaker, the Vice President should have \$15,000 or even more; so the chairman of the committee will not object to the amendment offered, although the rocky road that it will have to meet on the House side is plainly in sight.

Mr. FLETCHER. Mr. President, I do not quite agree with the idea that the Speaker of the House should receive the same compensation as the Vice President. I do not think the office is quite parallel with that of Vice President of the United States, and I really think there should be some difference in the amount of compensation paid to these two officials.

As the Senator from Wyoming has said, the Vice President is sometimes called upon to act as President. The Vice President has to do a great deal of entertaining of foreign diplomats, and all that sort of thing—things that the Speaker of the House is not called upon to look after. There is no doubt of the importance of the office of Speaker of the House, but I can not agree that the position corresponds to that of Vice President of the United States. I think, therefore, a difference should be recognized in the compensation as well as in the functions and in the duties of the offices.

I can not, therefore, consent to the request of the Senator from Utah at this time.

Mr. SMOOT. In view of the statement I have just heard, I shall not ask it at this time. I had in mind the thought that unless a change was made in the provision for Speaker of the House the amount could not be changed in conference to \$15,000, because of the House and the Senate having agreed to it; but in view of the statement I have just heard I shall not ask it.

The VICE PRESIDENT. The Secretary will continue the reading of the bill.

The reading of the bill was resumed.

The next amendment of the Committee on Appropriations was, on page 28, line 17, in the items for contingent expenses of the Executive Office, after the words "including labor," to insert "special services"; and, in line 19, to strike out "\$30,000" and insert "\$36,000," so as to read:

For contingent expenses of the Executive Office, including stationery, record books, telegrams, telephones, books for library, furniture and carpets for offices, automobiles, expenses of garage, including labor, special services, and miscellaneous items, to be expended in the discretion of the President, \$36,000.

The amendment was agreed to.

The next amendment was, on page 29, line 24, in the items for temporary employees for the Civil Service Commission, after the words "per annum," to insert "except one at \$3,000," so as to make the proviso read:

Provided, That no person shall be employed hereunder at a rate of compensation exceeding \$1,800 per annum except one at \$3,000.

The amendment was agreed to.

The next amendment was, on page 31, line 22, after the item "For rent of building for the Civil Service Commission, \$16,875," to insert "if space can not be assigned by the Public Buildings Commission in other buildings under the control of that commission."

The amendment was agreed to.

The next amendment was, on page 32, line 2, in the items for Department of State, to strike out "counselor for the department" and insert "Undersecretary of State"; and in line 23 to strike out "counselor of the department" and insert "Undersecretary."

The amendment was agreed to.

The next amendment was, on page 33, line 8, to increase the appropriation for temporary employees in the Department of State from "\$250,000" to "\$300,000."

The amendment was agreed to.

The next amendment was, on page 34, line 2, to increase the appropriation for miscellaneous expenses of the Department of State from "\$15,000" to "\$30,000."

The amendment was agreed to.

The next amendment was, on page 34, line 2, to insert the following proviso:

Provided, That not exceeding \$15,000 of this sum shall be available for a fireproof receptacle for the Declaration of Independence and other valuable papers.

The amendment was agreed to.

The next amendment was, on page 37, line 11, in the items for the Treasury Department, after the words "Arlington Building," to strike out the words "and annex."

The amendment was agreed to.

The next amendment was, on page 39, after line 20, to insert the following additional proviso:

Provided further, That within 30 days after the approval of this act the Secretary of War is authorized and directed to transfer to the Secretary of the Treasury without payment therefor two light motor trucks for use of the General Supply Committee: *Provided further*, That typewriters and computing machines transferred to the General Supply Committee as surplus, where such machines have become unfit for further use, may, in the discretion of the Secretary of the Treasury, be issued to other Government departments and establishments at exchange prices quoted in the current general schedule of supplies or sold commercially provided the price obtained is in excess of the exchange prices.

Repairs to typewriting machines (except bookkeeping and billing machines) in the Government service in the District of Columbia may be made at cost by the General Supply Committee, payment therefor to be effected by transfer and counter warrant, charging the proper appropriation and crediting the appropriation "General Supply Committee, Transfer of office material, supplies, and equipment."

Mr. CALDER. Mr. President, I make the point of order against the provision, on page 40, lines 8 to 14, reading as follows:

Repairs to typewriting machines (except bookkeeping and billing machines) in the Government service in the District of Columbia may be made at cost by the General Supply Committee, payment therefor to be effected by transfer and counter warrant, charging the proper appropriation and crediting the appropriation "General Supply Committee, Transfer of office material, supplies, and equipment."

The VICE PRESIDENT. What is the point of order?

Mr. WARREN. It is a matter of regulation of the General Supply Committee that is provided for by law.

The VICE PRESIDENT. Let us find out what the point of order is.

Mr. CALDER. That it is new legislation, not authorized by existing law.

The VICE PRESIDENT. New legislation? That is no ground for a point of order.

Mr. WARREN. It does not appropriate any money.

The VICE PRESIDENT. The point of order is overruled. The question is on agreeing to the amendment of the committee.

The amendment was agreed to.

The reading of the bill was resumed.

The next amendment of the Committee on Appropriations was, on page 41, line 10, in the items for the Treasury Department, after the word "Appointments," to strike out "(including section of surety bonds)"; in line 13, before the words "of class 3," to strike out "four" and insert "three"; after the words "of class 3," to strike out "(including one transferred from section of surety bonds)"; in line 14, before the words "of class 2," to strike out "six" and insert "five"; after the words "of class 2," to strike out "(including 1 transferred from section of surety bonds)"; and in line 17, to strike out "\$36,710" and insert "\$33,710," so as to read:

Division of Appointments: Chief of division, \$3,000; assistant chief of division, \$2,250; executive clerk, \$2,000; clerks—3 of class 4, 3 of class 3, 5 of class 2, 4 of class 1, 2 at \$1,000 each, 1 \$900; messenger; assistant messenger; in all, \$33,710.

The amendment was agreed to.

The next amendment was, on page 41, after line 17, to insert: Section of Surety Bonds: Chief, \$2,250; clerks—1 of class 3, 1 of class 2, 2 of class 1, 1 \$1,000; assistant messenger; in all, \$9,370.

Mr. FLETCHER. Mr. President, may I ask a question about the compensation of these clerks? The amendment provides for 1 clerk of class 3, 2 clerks of class 2, 2 clerks of class 1, and so forth. That means that the clerks of those classes receive a certain compensation?

Mr. WARREN. Yes.

Mr. FLETCHER. Will the Senator state what that is?

Mr. WARREN. Some years ago, as I think the Senator remembers, we undertook to examine all the different companies engaged in issuing surety bonds for employees and appointees of the Government, and we arranged that the Appointment Division should be increased sufficiently so that they could have what afterwards became a little bureau of surety bonds.

There has been a good deal of contention, and I may say almost propaganda, on the part of a great many who desire it done away with entirely. On the other hand, there is an insistence on the part of those especially interested, of course, as employees, that it shall be retained. The committee proposes to retain it, but to disentangle it from the bureau of appointments, where they have had clerks transferred from other departments. We want, as far as we can, to stop this idea of transferring. When we prescribe how many clerks a department shall have, we do not like to have some other department, that happens to get away with 100 or 200 more than it needs, detailing them. We find that some departments have detailed not less than a dozen of their clerks; so we have protected the surety-bond business by giving this section a total of \$9,320, providing a chief clerk at \$2,250, one clerk of class 3, one clerk of class 2, two clerks of class 1, and one clerk at \$1,000.

Mr. FLETCHER. I understand the matter now, and I think the committee is right; but what I desire to know is, What is the compensation of these clerks of class 3, class 2, and class 1?

Mr. WARREN. The compensation of clerks of class 1, as the Senator knows, is \$1,200; the compensation of clerks of class 2 is \$1,400; the compensation of clerks of class 3 is \$1,600; the compensation of clerks of class 4 is \$1,800; and, of course, if we shall vote a bonus, they will come under the bonus provision with the others.

Mr. FLETCHER. I see.

The VICE PRESIDENT. The question is on agreeing to the amendment.

The amendment was agreed to.

The next amendment of the Committee on Appropriations was, on page 44, line 12, in the items for Bureau of War Risk Insurance, after the numerals "\$100,000," to insert "Pierce accounting machine, \$255,000"; and, in line 18, to change the total from "\$7,145,400" to "\$7,400,400."

The amendment was agreed to.

The next amendment was, on page 45, line 4, before the word "soliciting," to insert "personally," so as to make the additional proviso read:

Provided further, That no person shall be employed hereunder at a rate of compensation exceeding \$1,800 per annum except the following: Three at not exceeding \$7,500 each, 5 at not exceeding \$5,000 each, 16 at not exceeding \$4,500 each, 20 at not exceeding \$4,000 each, 16 at not exceeding \$3,500 each, 26 at not exceeding \$3,000 each, 30 at not exceeding \$2,500 each, and 150 at not exceeding \$2,000 each: Provided further, That no part of this sum shall be expended for salaries or expenses in personally soliciting the reinstatement of lapsed insurance.

Mr. McKELLAR. Mr. President, will the chairman of the committee explain what is meant by the introduction of the word "personally" in this proviso?

Mr. WARREN. A question came up about how the word "soliciting" should be construed. The fact is that the War Risk Bureau has in every State, and almost if not quite in every county, and in most of the cities, a representative—who, of course, is in most cases a physician—who is authorized to and does examine the applicants that may come to him from the service, and recommends them for whatever percentage of disability they may have, or for total disability, and these same men or agents give all information as to insurance, and so forth. Now, the point of this provision is this—

Mr. McKELLAR. I think the Senator does not understand what I am asking about.

Mr. WARREN. If the Senator will wait a minute, I will answer his question. The object of this amendment is to prevent men under Government employment from taking automobiles and going all over the country to do what can be done without it, as has been done, I understand, in some cases. For instance, it has gotten to the point in the past year that in my country, in the case of the Marine Corps, men will go out in an automobile 30 or 40 miles to find some man who they hear might enlist and bring him into town. Of course, the expense is very large, and the percentage of those who are found unfit is quite large, and we have all that expense to pay, which is

unnecessary. I did not believe that we needed the word "personally," but it has been inserted to make the provision more liberal, simply to stop the personal solicitation of men to do what they do not want to do. The law is before them; the privileges are all before them; they are supposed to know what to do; but we do not want men hanging around the doors and soliciting, as we sometimes find people around the doors of the Senate whom we call lobbyists.

Mr. McKELLAR. Mr. President, I do not know whether this is the time to offer an amendment on the subject, but it seems to me this proviso ought to be omitted entirely. We all know that every insurance company that manages its affairs carefully has a system of making every effort possible to reinstate lapsed insurance.

Surely, after these young men who have gone into the Army or the Navy or the Marine Corps have once taken out this most valuable insurance, it seems to me the Government ought to use its utmost care, first, to keep it from lapsing, and to reinstate it if it has lapsed for any reason. I shall at the proper time offer an amendment to strike out this provision, because I think it is the duty of the War Risk Bureau not to permit this insurance to lapse, and to reinstate it wherever it has lapsed, if it is possible to do so.

Mr. WARREN. Mr. President, this is one among the differences between this war insurance and private insurance: In the case of the insurance companies a man who goes out soliciting gets a half or more of the first payment paid by the poor devil who is urged into something he is not ready to take, and the agent gets a percentage all during his life, after that, of the annual premiums. In this case the Government pays the agents. Does the Senator think the Government ought to have an army of men paid to go out into the hedges and corners and solicit men to keep their insurance in force?

Mr. McKELLAR. No; but I think this matter ought to be left to the War Risk Bureau.

Mr. WARREN. They are not objecting, so far as I know.

Mr. McKELLAR. The provision is—

That no part of this sum shall be expended for salaries or expenses in personally soliciting the reinstatement of lapsed insurance.

Mr. WARREN. The Senator will notice that the only word the Senate committee proposes to put in is "personally," whereas the House has plainly provided that no part of the appropriation shall be expended for soliciting.

Mr. McKELLAR. I am not objecting to the word "personally," but I am objecting to the whole proviso. I think it ought to be left to the War Risk Bureau.

Mr. WARREN. That is quite another thing. We are undertaking to provide for it as far as we ought to provide, and seeking to amend it because of the solicitude of the head of that department. While I did not think, and I do not think now, that they would be in any danger if it were left as it came from the House, we thought that putting in the word "personally" would cover the matter pretty generally.

Mr. McKELLAR. I have no objection to the insertion of the word "personally," but I think the whole proviso ought to be stricken out, and I shall offer an amendment looking to that end at the proper time. I do not think now is the proper time to offer the amendment, but later on I shall offer it.

Mr. SMOOT rose.

Mr. McKELLAR. If the Senator from Utah has some further information about it, I would like to hear it.

Mr. SMOOT. If the Senator intends to offer such an amendment, of course, I will speak when the amendment is offered. But I assure the Senator that it would be unwise to strike the proviso out entirely. However, the committee did think they ought to extend it beyond what the House provided for, and we said, in effect, "You can reach these soldier boys by advertisements and by letters, but we do not want you to have an army of employees going around from one end of the country to the other to do this and the Government to pay for it."

Mr. McKELLAR. It is very much better than it was provided for by the House, but I think it ought to be left to the bureau.

The amendment was agreed to.

Mr. POMERENE. I notice on page 45 there is a provision for the four members of the Federal Farm Loan Bureau and an appropriation for the assistant secretary of \$3,000. Is there not a head or first secretary?

Mr. SMOOT. The item here is just exactly as the law provides. When the act was passed creating the Federal Farm Loan Bureau, it specifically mentioned certain positions, and this paragraph in the bill enumerates those positions as enacted into law.

Mr. POMERENE. Does not the law name a secretary?

Mr. SMOOT. It does not name a secretary. The law provides for the positions we provide for here.

Mr. POMERENE. It struck me when I read the provision that it is rather unusual to have an assistant secretary and no secretary.

Mr. SMOOT. This is exactly the way the existing law provides, and does not make a change in any of the salaries.

The next amendment was, beginning with line 1, page 46, to insert:

The Secretary of the Treasury is hereby authorized from time to time during the fiscal years ending June 30, 1921 and 1922, respectively, to purchase at par and accrued interest, with any funds in the Treasury not otherwise appropriated from any Federal land bank, farm loan bonds issued by such bank.

Such purchases shall not exceed the sum of \$100,000,000 in either of such fiscal years, shall be made only upon the recommendation in writing of the Federal Farm Loan Board, and the bonds so purchased shall bear interest at the rate of 5 per cent per annum.

Any Federal land bank may at any time purchase, at par and accrued interest, for the purpose of redemption or resale, any bonds so purchased from it and held in the Treasury.

The bonds of any Federal land bank purchased by the Secretary of the Treasury and held in the Treasury under the provisions of this act, three years from the date of purchase, shall upon 30 days' notice from the Secretary of the Treasury be redeemed or repurchased by such bank at par and accrued interest.

Mr. CALDER. The amendment, as I understand it, provides for the issuance ultimately of \$100,000,000 worth of farm loan bonds, to provide for loans on farms throughout the country. I would like to inquire of the chairman of the committee in charge of the bill if this will mean the issuance of a hundred million dollars of tax-exempt bonds?

Mr. WARREN. They will be of the same character as those already issued under the law.

Mr. CALDER. I understand that they will be issued tax exempt.

Mr. SMOOT. Yes; they will be.

Mr. WARREN. They are issued under the law under which all the other bonds of that character are issued.

Mr. CALDER. Has the Committee on Appropriations taken into consideration the fact that we have already in existence in this country some \$14,000,000,000 worth of tax-exempt bonds?

Mr. SMOOT. Nearly \$15,000,000,000.

Mr. CALDER. And that investment in those bonds is being resorted to by men of large wealth to escape taxation?

Mr. SMOOT. That is absolutely true.

Mr. WARREN. Let me tell the Senator why this amendment was placed in the bill. The work of the Farm Loan Bureau seems to have been stopped entirely by suits that have been instituted, at least one of which is before the Supreme Court. Nothing can be done, and in the meantime applications are being made by farmers in different localities before the board, and this is to provide that certain or all of those distressing cases may be taken up by the board and that these bonds may be sold to the United States Treasury for the time being. Whether it is a good policy or a bad one, it is one we entered upon a long time ago. When the demand for money was greater than could be met through the regular channels, at one time the Government bought, I think, \$200,000,000 of the bonds. This is along the same line. It is to provide for the immediate and pressing necessities of those farmers and landholders who are unable to procure the money elsewhere, and who can not get it through the Federal land banks. They would be glad to let them have it, if it were not for this suit which is at present pending.

Mr. GLASS. The chairman understands, of course, that in a transaction between the Federal land banks and the Government there is no question of tax exemption of bonds.

Mr. WARREN. Of course not. They become the property of the Government, and they are not then taxable.

Mr. McLEAN. Mr. President, I understand that a provision similar to this, but proposing to appropriate something like \$200,000,000, will be reported out of the Committee on Agriculture and Forestry as a rider to the Agricultural appropriation bill. I refer to the amendment that was introduced by the Senator from Virginia [Mr. SWANSON]. It is my belief that Congress ought to do something before we adjourn. It is an important matter. The Committee on Banking and Currency has had under consideration several remedial measures looking to the continuation of the functions of the Federal Farm Loan System in accommodating the farmers who want loans. But we have not reported anything, because, as my colleagues know, the constitutionality of the farm loan act is being tested in the Supreme Court, and if the act is sustained it will be unnecessary to do anything.

Mr. WARREN. May I interrupt the Senator to say that, of course, it is not the intention to have the matter provided for by both committees, and surely if the pending bill passes with

this provision in it I shall object, and I think the Senator and others will object, to its being contained in any other bill.

Mr. McKELLAR. Of course, I think it is understood by everybody that one appropriation is all that is necessary, and if it is carried in this bill, then it will be stricken out of the Agricultural appropriation bill.

Mr. McLEAN. Yes; but, as I was about to say, if the Supreme Court sustains the act, it will be unnecessary to do anything, and it is the expectation of the Federal Farm Loan Board that a decision will be handed down on the 28th of this month.

Mr. McKELLAR. Mr. President—

The VICE PRESIDENT. Does the Senator from Connecticut yield to the Senator from Tennessee?

Mr. McLEAN. Certainly.

Mr. McKELLAR. The Senator will recall that the suit of Charles E. Smith against the Kansas City Title & Trust Co. was begun in October, 1919. It has been before the Supreme Court now about 14 months, during which time all of the operations of the board have been stopped. The case has not only been argued in the Supreme Court, but it has been reargued by distinguished counsel on both sides, and we have no assurance of any kind that the case will be decided on the 28th of this month, when the court meets again. Of course, we can not tell about that. It might be another year before it is decided. In the meantime the business of this board has been stopped absolutely, because the suit goes to the very life of the act. It affects the provision under which these bonds are issued, and without which the act can not become effective.

If the decision is unfavorable to the act, the result will be that we may have to amend the Constitution before we can pass a bill that will be effective. Of course, this system will never be abandoned. Under these circumstances, with the country in the financial condition in which it is, especially considering the financial needs of the farmers of the country, I do not think we ought to permit this great financial organization, of such wonderful benefit to the farmers of the country, to be inactive any longer. We can not tell when the Supreme Court will decide the case. If we could, that would be a different matter. But we ought to go on and act ourselves, and keep the Farm Loan Board in operation.

Mr. President, perhaps never in their history have the farmers been harder hit than during the last year. The value of all their products has decreased enormously. It is doubtful if they have made enough to pay for producing their crops. The banks have called in loans everywhere. Interest rates have been higher than they have been for generations. These interest rates are still high. Never in our history could these farm-loan banks have been of greater value to the farmers or to the country than in the last 14 months. If restored to operation now they would bring great relief to the farmers—more relief than they could get in any other possible way. The restoration of these banks would not only reduce the interest rates to farmers, but would permit them to get money they could not get in any other way with which to tide them over while they produce other crops. In this way they would relieve the financial pressure not only upon the farmers, but upon other industries as well. The low rates of interest provided in the act would affect interest rates generally in a downward way. Who is against this rehabilitation of the farm-loan banks? The only possible opposition would come from the private mortgage companies, who now lend to farmers at enormous rates of interest. Only selfishness and greed can stand in the way of this amendment. We should not permit anything to stand in the way of this amendment, and I do not believe we will.

I am opposed to the Senator's substitute proposing only fifty million. One hundred million is little enough. I would rather double it than to cut it in half. My position is that the farmers should have this relief without delay.

Mr. McLEAN. If the Senator will permit me to conclude what I wish to say with regard to this subject, I am not controverting his position at all. On the contrary, as I have said, I think it is the opinion of the Committee on Banking and Currency that something should be done before the session closes. We have been hoping that the decision would be handed down. It is expected, as I said, on the 28th of this month. It may not come; and if it does not there would be presented a very awkward situation, for which I think Congress should make some provision.

With regard to the amendment introduced by the Senator from Virginia [Mr. SWANSON] it seemed to me that there were objections to that amendment which might be obviated. In the first place, it is merely directory. It merely authorizes the Secretary of the Treasury to do something, and unless the Secretary of the Treasury changes his view with regard to the matter

it may be questionable whether any funds would be forthcoming at all. The same objection, I think, might be urged against the pending amendment in the pending bill. My attention was not called to this amendment until this morning.

I had supposed that those interested in the matter had concluded to support the amendment introduced by the Senator from Virginia, and that it would be attached as a rider to the Agricultural appropriation bill. But, anticipating that something would probably have to be done, I have had occasion to consult with members of the Federal Farm Loan Board, and I have a substitute for the resolution introduced by the Senator from Virginia which meets with the entire approval of the Federal Farm Loan Board. It provides for a fund of only \$50,000,000, which in the opinion of the board is quite ample to meet the exigencies of the case. It provides for the retirement of the fund in such a way that if the Supreme Court holds the act unconstitutional the amount of securities held by the Treasury will be very small, and there will be ample opportunity to amend the act itself in time to obviate any serious difficulty.

Mr. SMOOT. Mr. President, will the Senator yield?

Mr. McLEAN. Certainly.

Mr. SMOOT. The Senator from Virginia [Mr. GLASS] has just suggested to me that I ask that the amendment go over for the time being in order that he might send to his office for certain correspondence from the Treasury Department and the recommendation that the revolving fund suggested by the Senator—

Mr. McLEAN. If the Senator will permit me to conclude what I have to say, then I shall be glad to answer any questions. I have sent to the Secretary of the Treasury a copy of the amendment introduced by the Senator from Virginia, because I think his views should be considered by the Senate in a matter of this kind, but I have not yet heard from him. The substitute which I have suggested meets with the approval of the Federal Farm Loan Board, and I will ask to have the Secretary read it in order that it may be before the Senate, because it seems to me—

Mr. GLASS. Mr. President, may I say to the Senator I have no doubt in the world that the paper he is about to send to the desk is precisely the same paper that was sent to me from the Secretary of the Treasury and presented by me to the committee. I should like to indicate to the Senate the difference between the proposition now presented by the Senator from Connecticut and the pending proposition.

It is proposed by the Senator to appropriate, not temporarily for an exigency, but to establish a permanent form of revolving fund, and to that proposition I am utterly opposed. All my public life I have been opposed to special privileges. All during the consideration of the Federal reserve act I resisted every attempt to involve us in a system of special privileges. The pending proposition of the committee is not a special privilege. It is to tide over a great emergency for which, I might say, no one is especially to blame unless it be the Supreme Court of the United States, which has been considering for a period of nearly 14 months litigation that affects the entire farming community of the United States.

The pending proposition is an emergency proposition, and, as the Senator himself very properly said awhile ago, there is nothing directory or mandatory about it. We purposely omitted making it directory or mandatory. It is left within the discretion of the Secretary of the Treasury himself to buy the bonds to any amount not exceeding the total amount prescribed. The fact of the business is that he may not have to buy a dollar's worth of the bonds if, as the Senator confidently conjectures, the Supreme Court hands down its decision by the 28th of this month. We have been expecting that decision now for nearly 14 months, and I have not the remotest idea that it will be handed down on the 28th of this month or the next month or the following month.

Mr. McLEAN. May I interrupt the Senator there?

Mr. GLASS. Certainly.

Mr. McLEAN. If the decision is not handed down before Congress adjourns, in my opinion the farmers will not get a dollar of additional accommodation under the amendment introduced by the Senator from Virginia, or a dollar under this amendment, on the legislative bill, if I understand it.

Mr. GLASS. This amendment is identical with the one presented by my colleague.

Mr. McLEAN. It is my belief that members of the Federal Farm Loan Board have this system at heart, and I think they are in a position to judge as wisely as we are as to what remedy is needed in the present juncture.

Mr. GLASS. Let us be frank with the Senate. I say to Senators that the members of the Federal Farm Loan Board entirely concur in the amendment which I have proposed. The

amendment which the Senator from Connecticut has before him now was simply to reconcile differences between members of the Federal Farm Loan Board proper and the ex officio member of the Farm Loan Board, to wit, the Secretary of the Treasury.

The Senator is vastly mistaken in his supposition that not a dollar will be utilized under the amendment I have presented. I will say to the Senator that I am not in the habit of presenting propositions that do not mean anything. As a matter of fact, there are already accumulated with the Federal Farm Loan Board applications which have been thoroughly investigated, passed upon, and approved amounting to somewhat in excess of \$50,000,000; but the activities of the system have been paralyzed now for 14 months, and they have been unable to sell any of the bonds of the banks because of the litigation pending before the Supreme Court.

Mr. McLEAN. I have not had an opportunity to read even the amendment that is now pending. Is it directory?

Mr. GLASS. It is not directory. It authorizes the Secretary of the Treasury—

Mr. McLEAN. Then let me ask the Senator a question. Suppose the Secretary of the Treasury says he has no money, that it is merely discretionary with him and that he does not propose to buy the bonds, how much money is the Federal farm loan system going to get then?

Mr. GLASS. In those circumstances it is not going to get any, but I think it is incredible to believe that a Secretary of the Treasury, knowing what the Congress has in mind and the relief that is here sought, would take any such arbitrary position.

Mr. McLEAN. Mr. President, I do not wish to take up the time of the Senate in discussing the matter further.

Mr. GLASS. But if the Senator wants to make it directory, that is all right.

Mr. McLEAN. I think it should be effective. If we propose to add to the fund, we should certainly do it.

Mr. GLASS. I will say to the Senator that what I am proposing to do under my amendment is precisely what Congress did last July, and the Secretary of the Treasury, to the extent of twenty-odd million dollars, did purchase those bonds.

Mr. McLEAN. He may have had the money then and he may not have it now. He may have changed his opinion with regard to the propriety of an attempt to provide funds if the matter is left to his discretion.

Mr. GLASS. We will have a different Secretary of the Treasury soon, and if I am willing to trust the incoming Secretary of the Treasury to relieve the situation, the Senator from Connecticut ought to be willing to trust him.

Mr. McLEAN. I do not want to trust the discretion of any Secretary of the Treasury. If we do anything, we should do it by passing a directory and effective provision.

Mr. GLASS. I am perfectly willing to accept an amendment to my amendment making it directory, if the Senator cares to offer a proposition of that kind.

Mr. McLEAN. Then I think the fund appropriated is too large. I do not think it is necessary to have it so large.

Mr. GLASS. I will say to the Senator if it is not necessary not a dollar of it will be used. If the Senator is right in his conjecture that the Supreme Court on the 28th of this month will hand down its decision, I doubt if a dollar of it will be necessary.

Mr. FLETCHER. If \$100,000,000 is authorized—

Mr. McLEAN. Just a moment. The Senator from Virginia says that the amendment which I propose has not been approved by the Federal Farm Loan Board.

Mr. GLASS. Oh, no; I did not say that.

Mr. McLEAN. The Senator intimated it.

Mr. GLASS. What the Senator from Connecticut said was that the amendment proposed by me was not approved by the Federal Farm Loan Board. I say that it met with the entire concurrence of all the members of the Farm Loan Board, with the possible exception of the ex officio member, the Secretary of the Treasury. I said that it is the amendment which was presented to the committee and rejected by the committee.

Mr. McKELLAR. Will the Senator yield?

Mr. McLEAN. Just a moment. I think we ought not to waste very much time here on the proposition. I would like to find out from the Senator from Virginia if the Secretary of the Treasury is in favor of his amendment.

Mr. GLASS. I do not think that he is.

Mr. McLEAN. My information is that the view of the Federal Farm Loan Board coincides with that of the Secretary of the Treasury.

Mr. GLASS. I will say to the Senator that the proposition he has in his hand was presented to me in person by a member of the Federal Farm Loan Board, from whom I gathered the

information that it was a modified suggestion to meet more entirely the view of the Secretary of the Treasury, but that the other members of the board concurred in my suggestion. I want to emphasize this point, if the Senator will permit me. The difference between my proposition and the proposition presented by the Senator is that mine is an emergency proposition, just as the one presented last July and passed by Congress was an emergency proposition. The proposition which the Senator has is for the establishment of a permanent revolving fund. That I do not think we should do.

Mr. McLEAN. The Senator is mistaken about that. The amendment provides for the retirement of the fund in 10 years.

Mr. GLASS. The suggestion I offer may be stopped in 10 days, if the Supreme Court hands down its decision on the 28th of this month.

Mr. McLEAN. Of course, if the Supreme Court holds the act constitutional, then there would be no need for this legislation.

Mr. GLASS. Precisely; and it was because we have been waiting on the Supreme Court for 14 months and they have not handed down any decision, and that the great system of farm-loan credits has been paralyzed, that I am presenting the proposition.

Mr. McLEAN. The decision of the court may be such that, as the Senator from Tennessee [Mr. McKellar] says, we shall have to amend the Constitution in order to continue the functioning of this system. Here is a proposition that involves \$50,000,000, and it is mandatory, and I would like to have it read to the Senate. Then it seems to me it would be well to postpone action on the amendment for the present and see if we can not come to some understanding that will be satisfactory to all concerned.

Mr. GLASS. I will say to the Senator that the \$50,000,000 is not adequate, because I have in my desk a letter from the Federal Farm Loan Board, stating explicitly that the board already has on hand approved applications for loans aggregating \$65,000,000.

Mr. McKellar. Of course, there will be an added number during the year. Operations have been suspended for over 14 months, and it does seem to me that \$100,000,000 is as small an amount as we ought to attempt to provide to remedy a situation that is temporary in its nature, as I believe.

Mr. McLEAN. This suggestion comes from the Federal Farm Loan Board, and it is represented to me that it is ample in amount to take care of any exigency that may arise.

Mr. GLASS. I will say to the Senator that the suggestion, such as I have indicated to the Senator, came to me from the Federal Farm Loan Board, and I did not withhold it from the committee. I presented it to the committee and the committee rejected it.

Mr. Fletcher. If the Farm Loan Board only needs \$50,000,000, they will only use \$50,000,000. The Secretary of the Treasury is merely authorized to purchase bonds to the extent of \$100,000,000, and if \$50,000,000 will be sufficient, of course, he will not buy \$100,000,000.

Mr. McLEAN. I think the plan suggested by the instrumentality that has this important interest in hand—the Federal Farm Loan Board—should be carefully considered. They should know as much about it as we do; certainly they know more about it than I do; and I am inclined to give their plan careful consideration. It is their suggestion, and will meet every need. I have no choice in the matter, as I have said. I merely wish to do something that will be effective.

Mr. GLASS. I will say to the Senator that I conferred with the members of the Farm Loan Board before I offered my amendment on the subject, and I understood the amendment presented by my colleague [Mr. Swanson] and myself met with the entire approval of the Federal Farm Loan Board, but after the matter had been considered in committee the Federal Farm Loan Board brought up to me the modified suggestion which the Senator is now presenting. I frankly stated to the committee that it had been received. The committee, however, rejected the proposition and adhered to the decision to report favorably the amendment that I had offered.

Mr. Smoot. A majority of the committee did so?

Mr. GLASS. Yes; a majority of the committee. As I recall the vote, it was 9 to 2.

Mr. McLEAN. I will say to the Senator from Virginia there has evidently been a misunderstanding as to the view of the Federal Farm Loan Board in regard to this matter. So I think it would be well to postpone action on it until we find out what their preference is; and if there is a choice, choose the better plan of the two. That is my only interest in the matter.

Mr. GLASS. I do not think the Senate should be altogether governed by the preference of the Farm Loan Board—

Mr. Fletcher. Especially a board that does not seem to be doing anything.

Mr. GLASS. Because the Farm Loan Board might want a permanent revolving fund, I myself should not want it. However, the fact is that I have from the Farm Loan Board the statement that the board has on hand applications for loans which have been thoroughly investigated and approved by the board aggregating \$65,000,000. I am perfectly well satisfied that the main reason actuating the Farm Loan Board in sending up the modified suggestion was, as I have indicated, to reconcile some differences between the point of view of the members of the board and its ex officio member, the Secretary of the Treasury.

Mr. McLEAN. I think it would be well to adopt the plan that is satisfactory to both the Treasury Department and the Federal Farm Loan Board, if possible. That is the reason I suggest a postponement of the matter temporarily.

Mr. McKellar. I will say to the Senator that after the 4th of March the new Secretary of the Treasury may entirely agree with the Farm Loan Board. There may not be the slightest dispute between them. I have not the slightest doubt of their working in absolute harmony and unison in reference to the matter. It strikes me that this particular institution which is loaning money to the farmers through the Federal land banks has been determined upon by the American people and by the American Congress as the instrumentality through which this important work shall be effectuated.

The Senator mentioned my suggestion that the law might be declared unconstitutional. If the law shall be declared unconstitutional, Congress and the American people are going to find some way to continue this great institution. We all know that. This proposed legislation will continue its activities to a limited extent, regardless of whether the law is determined to be unconstitutional or constitutional. Why not let us go on, therefore, and enact the pending provision?

Mr. GLASS. As a matter of fact, I will say to the Senator, the question involved in the litigation is merely as to the validity of the tax exemption of the farm-loan bonds.

Mr. McLEAN. Oh, no; the Senator from Virginia is mistaken.

Mr. GLASS. That is the real question; but that question is not involved in this proposed action of Congress.

Mr. McKellar. Not in the least.

Mr. McLEAN. The question is as to the power of Congress to establish these institutions as private institutions.

Mr. GLASS. That is as to the joint-stock land banks, and the legislation here proposed does not affect the joint-stock land banks.

Mr. Kenyon. I think the pending case includes both questions.

Mr. GLASS. I think the Senator can hardly make that contention seriously.

The Vice President. The Official Reporters can report a duet, but not a quartet.

Mr. McKellar. If the Senator from Virginia will yield, I merely wish to state that—

The main question is whether Congress had the power to create (a) the Federal land banks, (b) the joint-stock land banks, and (c) to exempt the bonds which both classes of banks are authorized to issue from Federal, State, local, and municipal taxation.

I am reading from one of the briefs filed in the case.

While all three of those questions were included in the bill which was filed in court, the real controversy is over the tax exemption, and, from my reading of the brief, I gather that is virtually the only controversy in the case. While the tax-exemption question is a serious one, I feel it is likely that the provision will be upheld by the court. The bill was dismissed by the trial court, and, of course, the presumption is that the act is constitutional. The act thus has both the presumption and the decision of the lower court in its favor. The court is taking its time, it is true, but it is an important matter, and we can not hurry it. Nor should we be impatient about it. Especially so when we can correct the difficulty for the immediate present by enacting into law the proposed amendment. If the farm loan law is upheld by the court on February 28, when the court meets, then it will not be necessary for the Secretary of the Treasury to utilize the authority given him. If the court holds it is unconstitutional, then this amendment will enable the farm-loan bank to continue its operations without interruption until the Congress can cure the defects in the act as determined by the court.

Mr. GLASS. Mr. President, I give notice that under Rule XL I shall move to suspend paragraph 3 of Rule XVI in order that I may propose to the bill (H. R. 15543) making appropriations for the legislative, executive, and judicial expenses of the

Government for the fiscal year ending June 30, 1922, and for other purposes, the following amendment, to wit, the amendment which the committee has reported.

Mr. McLEAN. I will say to the Senator from Virginia that I hope no one will make the point of order on either of the amendments.

Mr. McKELLAR. I hope the point of order will not be made.

Mr. McLEAN. What I want is to have the amendment framed in such a way as to accomplish the purpose desired.

Mr. GLASS. I give the notice which I have stated, Mr. President, and I send it to the desk in writing.

Mr. SWANSON. I should like to ask the Senator from Connecticut a question. I was not present when his amendment was read, but as I understand the amendment—

Mr. McLEAN. The amendment has not been read.

Mr. SWANSON. But as I understand the amendment, it limits the amount to \$50,000,000.

Mr. McLEAN. Yes.

Mr. SWANSON. For two years that is the total sum which may be provided.

Mr. McLEAN. Yes.

Mr. SWANSON. As my colleague [Mr. GLASS] has stated, the Farm Loan Board had approved applications for loans amounting to \$65,000,000 when its operations were discontinued by litigation. At that time the Farm Loan Board was loaning at the rate of \$15,000,000 a month. There was a demand for that amount and the money was being safely loaned to farmers. One hundred million dollars would simply take care for the present year of the \$65,000,000 of loans which have already been approved and the applications that would come in up to the 1st of July.

The reason the Federal Government should take care of the farm-loan situation is that the Farm Loan Board's activities were crippled because of the war. They were selling their bonds and had sold \$26,000,000 worth of bonds when the war came. They had had no difficulty in selling them. Then, when the war came, in order to finance the loans, an amendment similar to the one now proposed was adopted, but there was no further sale for the bonds. The present situation has arisen because of the conditions which were occasioned by the war. When, in behalf of my colleague and myself, I submitted the amendment, I understood, as has been stated, that all the members of the board, with the exception of the Secretary of the Treasury, favored the amendment. It is similar to an amendment which has been passed heretofore and which has proven useful.

The amendment adopted here last year made available a balance of \$100,000,000, \$200,000,000 being authorized during the war, but that authorization for the sale of Federal farm-loan bonds was suspended on account of the sale of Liberty bonds. Consequently, it seems to me that the conditions imperatively require action at this time and that the larger amount suggested should be authorized.

A great many farmers have incurred obligations; some of them have bought land and others have made improvements, understanding that they could secure farm loans, and, as a consequence of the suspension of the activities of the Farm Loan Board they are now in a very embarrassed situation, although it has been through no failure or fault of their own. In my opinion, it will take the entire amount proposed to take care of the situation as it exists to-day, and I hope the Senator will consent to the amendment going into the bill.

Mr. McLEAN. Mr. President, all I can say is that, as I am informed, \$50,000,000 is sufficient to take care of the existing situation. If I am incorrectly informed, if in the view of the Federal Farm Loan Board they need more money, I shall interpose no objection.

Mr. GLASS. Mr. President, I will say to the Senator that if \$50,000,000 will take care of the situation, only \$50,000,000 will be used under the amendment which I have presented; but in view of the fact that the Farm Loan Board writes me that they already have approved applications for \$65,000,000, it is perfectly obvious that \$50,000,000 will not be ample.

Mr. McLEAN. I repeat that the information given to the Senate by the Senator from Virginia does not comport with the information which has been furnished to me. Therefore I suggest that the matter be passed over temporarily.

Mr. GLASS. If the Senator desires me to do so, I will send to my office and have inserted in the Record the letter from the Federal Farm Loan Board to me stating that they have \$65,000,000 of approved applications on hand.

Mr. HARRISON. Mr. President, may I ask the Senator from Virginia, in that connection, is it not a fact that, because the Federal Farm Loan Board has not been actually functioning in the past few months, a great many applications that might have been made have not been made?

Mr. GLASS. Of course that is true. They have applications for many more million dollars of loans than the amount I have indicated, but they have approved applications for \$65,000,000.

Mr. SWANSON. As I stated a few moments ago, the applications were coming in at the rate of \$15,000,000 a month when they suspended business.

Mr. HARRISON. I hope the Senator from Connecticut will not want to reduce the amount; certainly the Federal Farm Loan Board ought to have \$100,000,000.

Mr. SWANSON. Mr. President, I ask to have incorporated in the Record a memorandum giving information in connection with the loans and showing what has been done.

The VICE PRESIDENT. Without objection, it is so ordered. The memorandum referred to is as follows:

TREASURY DEPARTMENT,
FEDERAL FARM LOAN BUREAU,
Washington, February 8, 1921.

DEAR SENATOR SWANSON: Responding to your personal request for a résumé of the operations of the Farm Loan System to date and its present condition, permit me to state:

The loaning operations of the system may properly be said to have begun in May, 1917, although in one or two banks loans were made a little earlier, perhaps as early as the middle of March, and in others loans were not made until July.

The first farm loan bonds were issued in the summer of 1917 as of date May 1 that year. These bonds aggregated approximately \$26,000,000, were sold to the public during the late summer and autumn. Late in 1917 the Government entered upon its war financing with the history of which you are familiar. Partly because of the uncertainty of the effect of such large offerings of Government securities to the public and partly because the Treasury did not want continued offerings of farm loan bonds to be made, a bill was introduced in Congress authorizing the purchase of \$100,000,000 of bonds during the fiscal year ending June 30, 1918, and a like amount during the fiscal year ending June 30, 1919. Thereafter no offerings of farm loan bonds were made to the public, except at such time as the Treasury approved and when, in the judgment of the Treasury, such offerings would not interfere with Government offerings.

In June, 1919, immediately following the campaign for the so-called Victory loan, farm loan bonds were offered and sold to the public in sufficient volume to meet the needs of the banks until January 1, 1920.

In July, 1919, the suit with which you are familiar challenging the constitutionality of the farm loan act was instituted. That suit was immediately disposed of in the lower court, which upheld the act; an appeal was taken to the Supreme Court, and with the history of the litigation in that court you are also familiar.

The sale of farm loan bonds is the only source of loanable funds under the farm loan system.

The litigation suggested above had the effect of casting a cloud upon the validity of such bonds and none have been offered since the litigation was begun.

In February, 1920, the banks ceased taking applications for loans, except such as were taken subject to a favorable decision of the litigation. A large volume of applications containing this condition were taken, and while since June, 1920, the banks have not, as a rule, received applications, they are advised by secretary-treasurers of farm loan associations that many of them have taken applications which are being withheld until the banks are again in funds.

A conservative estimate of applications pending which the banks would be called on, if in funds, to close as fast as physically possible would be \$60,000,000.

When the loaning activities were suspended by reason of the litigation the banks were closing loans at the rate of about \$15,000,000 per month.

In view of the present condition of agricultural finances, it seems safe to assume that applications in larger volume will be offered as soon as the banks are able to take care of them.

The effect of the distribution of this amount of funds to agricultural communities of the country need only be suggested to show the liquidation that would result.

The Federal land banks alone to date have made loans to 131,305 farmers, in amount \$369,242,464. These loans have been made in relatively small amounts, the average to a borrower being \$2,810.

Copy of the Federal farm loan act and our last annual report are herewith inclosed.

The act of 1918 authorizing the Treasury purchases will be found in full on page 3 of circular No. 11, also inclosed.

Respectfully, yours,

CHAS. E. LODGELL,
Farm Loan Commissioner.

HON. CLAUDE A. SWANSON,
United States Senate.

Memorandum.

In July, 1919, a suit was instituted in the Federal court at Kansas City, Mo., by one Smith, a stockholder in the Kansas City Title & Trust Co., enjoining that company from the purchase of farm loan bonds, because of his contention that while the bonds purported to be tax exempt as a matter of fact the farm loan act was unconstitutional—the creation of the Federal and joint-stock land banks by Congress beyond its constitutional power—and the tax-exempt provision of the act beyond the constitutional power of Congress to authorize.

In this suit the Federal land bank of Wichita intervened, as did certain of the joint-stock land banks. It was heard on October 29 and 30 of that year and disposed of at the conclusion of the hearing, the trial judge upholding in toto the constitutionality of the act and dismissing the bill of complaint. From this decision Smith appealed immediately to the Supreme Court of the United States.

In November, 1919, all parties to the suit concurring, it was on motion advanced by the Supreme Court and set for hearing January 6, 1920, on which date it was argued before that court by Hon. Charles Evans Hughes and Hon. George W. Wickersham on behalf of the banks, and Hon. Marshall Bullitt and Hon. Frank Hagerman on behalf of complainant.

Late in April, 1920, the court called for a reargument of the case and set that argument for October 11, 1920. The case was argued by

same counsel on October 14 and 15, and now awaits decision by the court.

The effect of the litigation was to cast a cloud upon the validity of farm-loan bonds, which constitute the only source of loanable funds by the banks, and no bonds have been offered for sale since the suit was instituted.

In the spring of 1919, at the conclusion of the Victory loan campaign, the Farm Loan Board made a bond offering and sold sufficient bonds to carry the banks to January, 1920.

In anticipation of an early decision some of the banks used their commercial credit, and loaning operations were continued to February, when funds were entirely exhausted.

In June of last year Congress passed House joint resolution No. 351, authorizing the purchase of certain bonds by the Treasury, limiting these purchases to bonds based on mortgages approved prior to March 1. Under this provision \$45,400,000 bonds have been purchased, and a major portion of the definite commitments of the banks prior to March 1 have been met.

A large number of applications had been taken subsequent to February 1, with a proviso that the same could not be completed until a favorable decision by the court.

While the banks have, since June last, advised against the taking of any applications, they are advised that large numbers of applications have been taken by secretary-treasurers, not forwarded to the banks but are being held subject to the resumption of business. A conservative estimate would be that loans aggregating \$60,000,000 await closing as fast as it is physically possible to get to them.

When business was suspended the banks were closing loans at the rate of \$15,000,000 per month, and in the present state of agricultural finance it seems safe to assume that even a larger monthly volume would be offered, if the banks were in position to take care of them.

Mr. HEFLIN. Mr. President, I trust that no Senator will make the point of order against this amendment. It provides for the use of \$100,000,000 worth of Government bonds by the Farm Loan Board. I think it ought to be amended so as to direct the Secretary of the Treasury to do exactly what the Congress wants done in the matter. The fact that the Secretary of the Treasury opposes this amendment has no influence whatever with me. He opposed the reinstatement of the War Finance Corporation. So far as I am concerned, I am not in favor of leaving in his hands any discretionary power regarding these farm-loan bonds.

It is very clear, as the Senator from Virginia [Mr. GLASS] has said, that if \$65,000,000 of applications for farm loans have already been made and approved, \$50,000,000 will not be sufficient to satisfy these applications. The fact is the whole farm-loan system has been crippled and practically put out of commission because of the long delay of the Supreme Court in handing down its decision, and that fact alone, as the Senator from Mississippi [Mr. HARRISON] has said, has kept a great many farmers from making application to the Farm Loan Board.

I agree with the Senator from Virginia on another point, and that is that there is no excuse for the Supreme Court in holding up its decision in this case for 14 months. I think that we ought to pass an act directing the Supreme Court of the United States to give preference to cases which affect the public welfare. Cases that affect the Government's policy toward citizens generally, or even a large number of them, should be given preference over cases affecting private interests.

Mr. President, I fear that a great many Senators here do not fully understand and appreciate the distressing condition in which the farmers of the country now find themselves. The Legislature of the great State of Texas has just passed a stay law, so far as taxes are concerned. Under that law the people of Texas are given the privilege of withholding their taxes for the present. That State has realized the condition under which the people, and the farmers especially, labor on account of the hard times now prevailing.

The farmers in my section and in the western section of the country are in great distress, and whether the Supreme Court acts at an early date or not Congress ought to pass this measure at this session and make the money available to thousands of farmers who are in distress and who need this money to carry on their business operations this year. By the adoption of this amendment we will render valuable service to the farmers of the country.

Mr. POMERENE. Mr. President, I have always had a very great interest in the Federal farm loan act. I think it is doing a great work. I think we ought to assist in granting any relief that we can along this line. I have always felt, and I feel now, that by the proper administration of this act we can very materially aid the farmers. This is one respect in which we can grant them aid, and you are not going to do it by some of these emergency tariff laws.

I regret exceedingly that the opinion of the Supreme Court has not been handed down. I do not know why. I do not think anyone else knows why. I assume that they have had some difficulty in determining the constitutional questions. We must be a little patient when it comes to the determination of questions of that kind. If the act should unfortunately be held unconstitutional, I have no doubt we will get some light by

which we can propose an amendment to the law. I think we ought to do it. I think we ought to go further and adopt some legislation which will enable us to grant them personal credits in addition to the farm-loan credits. I think that can be done, and I should regret the raising of any technical point of order against legislation of this character.

Mr. THOMAS. Mr. President, I understand that the principal point at issue in the case pending in the Supreme Court involves the power of Congress to exempt these farm-loan bonds or securities from taxation. I do not understand that the power of Congress to enact this legislation is involved in the case. If I am right about it, I never have been able to understand why the Treasury Department, because of a *nisi prius* decision, should have suspended operations.

Mr. POMERENE. I agree with the Senator.

Mr. THOMAS. It might just as well have continued these operations while awaiting the action of the Supreme Court.

Mr. McKELLAR. Mr. President, the trouble is not with the injunction, because the injunction was not granted. There is no injunction; but whenever the validity of a law under which bonds are issued, especially bonds carrying an exemption of this kind, is attacked in the courts, and the matter is pending in the Supreme Court, naturally no one is going to buy those bonds. For that reason they are unable to sell the bonds, and therefore they are unable to carry on the functions of the bureau.

Mr. THOMAS. The validity of the bonds, as I understand—and I hope I shall be corrected if my impression of the controversy is wrong—is not involved, but the power of Congress to exempt them from taxation.

Mr. McKELLAR. The Senator is mistaken, to this extent—

Mr. THOMAS. I may be.

Mr. McKELLAR. The power of Congress to pass this legislation, to create this kind of banks, is attacked.

Mr. THOMAS. That is incidental, is it not?

Mr. McKELLAR. Those questions are raised, but the principal question is the question of exemption from taxation; but when that is raised the bonds that are issued can not be sold on the market.

Mr. THOMAS. These other points are raised, but they are raised by the investment bankers of the country, whose principal objection is that the bonds are exempt from taxation. Now, why should not the Treasury Department continue to make loans, if that is the case?

Mr. McKELLAR. That is precisely what we propose to do by the amendment of the Senator from Virginia—to authorize the Secretary of the Treasury to do that very thing.

Mr. POMERENE. This suit, I believe, was argued twice before the Supreme Court, was it not?

Mr. McKELLAR. It was argued twice.

Mr. THOMAS. I think so.

Mr. POMERENE. And the last time it was argued, I am told, was on October 14 and 15.

Mr. THOMAS. If the Senator will permit me, as much as I have interrupted him, I want to call attention to the fact that the Supreme Court of the United States has another case, a very important case, that of Wyoming against Colorado, involving the right of the State of Colorado to divert water from a river which is common to both States. It has had that case under consideration ever since December, 1916. It has been argued twice. Of course, I am not criticizing the court; my respect for it, independently of my duty, would prevent my doing so; but it is too bad that these important cases linger so long between their submission and their ultimate decision.

Mr. POMERENE. I assume that the Supreme Court have their troubles, as well as the Senate of the United States, in determining certain questions, and I am not disposed to criticize them because, perhaps, they are not able to agree. I hope we shall soon have the decision; but I do agree that the operations should not be suspended simply because there is some litigation pending.

Mr. KENYON. Mr. President, in the brief filed on October 13 by the appellant the points are summarized on one page. I should like to ask the Senator from Ohio if it would not be helpful to have those points read?

Mr. POMERENE. I should be delighted to have them read from the desk.

The VICE PRESIDENT. Is there any objection? The Chair hears none, and the Secretary will read as requested.

The Assistant Secretary read as follows:

FIRST POINT.

The farm loan act, so far as it creates Federal land banks, is unconstitutional because Congress has no power to create a corporation for the purpose of conducting a farm mortgage loan business, or to exempt it from State control; and its constitutionality can not be

saved by treating it as an exercise of the congressional power (1) to appropriate money, or (2) to borrow money on the credit of the United States.

SECOND POINT.

Congress could not acquire the power (1) to create a series of corporations (Federal land banks and joint-stock land banks) to engage in the business of lending private capital on farm mortgages; and (2) to exempt them from all State control, by the mere expedient of calling such corporations "banks" and endowing them with the possibility of acting as depositaries of public money or financial agents.

THIRD POINT.

The farm mortgages executed to the Federal land banks and to the joint-stock land banks, and the farm-loan bonds issued by them respectively, and held by the general investing public, are subject to State taxation.

Mr. POMERENE. May I ask whose brief this is?

Mr. KENYON. It is the brief of the appellants. Mr. Bullitt is the main counsel.

Mr. FLETCHER. The plaintiffs below?

Mr. KENYON. Yes. Those are the points they summarize against the act.

Mr. FLETCHER. Mr. President, I only want to say that I think it is very important that we agree to this amendment, and let it go on the bill, and enact it into law as speedily as possible, not only because it provides a means whereby the Farm Loan Board may go on operating, but that they may be able to do so at once, without waiting for the decision of the Supreme Court; and it makes no difference whether that decision be in favor of the appellant or against the appellant; this provision would be needed in any event. If they sustain the validity of these bonds and of the farm loan act all the way through, the exemptions and what not, the Farm Loan Board would still have occasion to ask the Secretary of the Treasury, perhaps, to take a few of these bonds until they could get on the market the bonds issued regularly, in due course of business, by the various Federal land banks.

These bonds will sell; there will be no need of any great strain on the Treasury, because the public was eager, and has been all the while eager, to take these bonds. When the act was passed authorizing the Secretary of the Treasury to take \$200,000,000 of them in 1919, it was not because the farm loan bonds were not in demand at all. It was really for the benefit of the Treasury itself to take these bonds off the market, because people were buying them instead of buying Liberty bonds. The Treasury wanted to sell Liberty bonds, and in order to sell Liberty bonds the farm loan bonds were taken off the market by authorizing the Treasury to invest in farm loan bonds. Really, it was no purpose to give relief to the Farm Loan Board in that contingency; but this is needed, I say, whether the decision is in favor of the validity of the act or against it, and in any event it merely authorizes the Secretary of the Treasury to buy these bonds to the amount of \$100,000,000 each year for two years. If, as a matter of fact, they need only \$10,000,000 or \$5,000,000, or \$50,000,000, of course, the Secretary of the Treasury will not buy any more than the amount needed to keep the system going; and the system ought to be kept going. In my judgment, there is no excuse for its being paralyzed to-day. The decision was in favor of the validity of the act in the lower court. There never has been any injunction issued against the Farm Loan Board. There is no reason why they could not have gone on. I believe the public would take those bonds to-day to a very large extent.

Mr. McLEAN. Mr. President, will the Senator yield?

Mr. FLETCHER. Yes.

Mr. McLEAN. There is no difference of opinion as to the necessity of doing something that will be effective to permit this system to function. There is no difference of opinion, as I understand, in regard to that. It is only a question as to which plan is the better one. Now, my suggestion is that we temporarily postpone action on this amendment, and if the Federal Farm Loan Board informs us that they need \$65,000,000 or \$75,000,000 I shall not object to amending the amendment which I offered so as to provide sufficient funds. It is a question as to which plan is the better plan.

Mr. FLETCHER. I understand the Senator's position, but—

Mr. McLEAN. I suggest that the Senator permit my amendment to be read, and that we pass over this item temporarily, with the understanding that so far as I am concerned no point of order will be made.

Mr. FLETCHER. But will not the Senator agree that where there is, as in this provision, a mere authorization to the Secretary of the Treasury to invest \$100,000,000 in these bonds, if as a matter of fact the Farm Loan Board, of which he is ex officio chairman, does not need over \$50,000,000, there is no danger of his buying more than \$50,000,000 worth?

Mr. McLEAN. Oh, certainly.

Mr. FLETCHER. Then where is the difference? It is a tweedledum and tweedledee proposition. The amendment here

proposes to authorize him to buy \$100,000,000 of these bonds. The Senator wants to limit that to \$50,000,000. If they do not need more than \$50,000,000, he will not buy more than \$50,000,000. There is no escape, I think, from that conclusion.

Mr. McLEAN. My contention is, in view of the information I have, that the amendment I offered is the one which the Federal Farm Loan Board approve, that we ought to give it fair consideration, especially in view of the fact that the Secretary of the Treasury is opposed to the plan suggested by the Senator from Virginia.

Mr. GLASS. Mr. President, may I say to the Senator from Connecticut that it is not exactly accurate—and I perhaps misled the Senator in what I said—to say that the Secretary of the Treasury is opposed to the proposition reported by the committee. He prefers the one that the Senator has now presented; but my very distinct understanding is, confirmed by a talk since I spoke upon the floor a while ago, that the board itself prefers the suggestion that I have made.

Mr. McLEAN. That is not my understanding.

Mr. GLASS. It was merely a question between the appointive members of the board and the Secretary of the Treasury.

Mr. McLEAN. It is just that point that I want to clear up, and then I am through, so far as I am concerned.

Mr. FLETCHER. Of course, I am not quite willing to invite the Farm Loan Board into the Senate and ask them to write into a bill here what they want. I know something about this farm loan business myself; I know something about this law; I know something about the duties and functions of that board; and I know something about the requirements of the country and the needs of the country.

Mr. McKELLAR. Mr. President—

Mr. FLETCHER. There never was a time when the farmers of the country needed this system more than they need it to-day; and I think it is a crying shame that the members of that board have been sitting there for months, drawing \$10,000 a year apiece, and doing practically nothing, when there is no injunction against them.

They could have been doing something, and I am not willing to be controlled absolutely by their preference in a case of this kind. I think we ought to put this provision in the law, and they certainly can not complain in any way. It does not cripple them in any way, that is certain. It is helpful to them. It may not be precisely what they want, but if it is what is needed in this emergency we ought to provide for it.

Mr. McKELLAR. I ask the Senator if he does not think we ought not to be deterred from doing what is manifestly the right thing in the matter by bickerings or differences between the board and the Secretary of the Treasury?

Mr. FLETCHER. Certainly not.

Mr. McKELLAR. He apparently has been differing about everything that has been submitted to him by the American Congress for quite a while.

Mr. FLETCHER. I do not see any very great difference between what is indicated on one side as being the view of the Secretary of the Treasury and what is indicated on the other side as being the view of the Farm Loan Board. I do not know of any very great difference between them. The important thing is to provide in this law a means whereby this board can have funds with which to accommodate the borrowers who are needing the money. That will be accomplished by either method, and that is the main thing. The most direct way, and it seems to me the clearest way, and the most efficacious way, is the way set out in the proposed amendment by the committee to this bill, and therefore I think we ought to agree to this.

Furthermore, Mr. President, with reference to this litigation, I am inclined to think that perhaps the very first obstacle in the way of the Supreme Court is the question of jurisdiction. They may not get to the question of the constitutionality of the act at all, or the question of the tax exemption at all. The first hard place in their road, it seems to me, is the question of jurisdiction. I have read the briefs on both sides of the case, and I know something of the case, and it does seem to me a very, very doubtful matter whether the Supreme Court has jurisdiction in the case at all. The plaintiff is a stockholder in a trust company, an individual. That trust company proposed to invest some of its surplus in farm loan bonds, and this stockholder in a private trust company seeks to enjoin that trust company from investing in farm loan bonds, because, he says, those bonds are issued in pursuance of an act that is unconstitutional, in that they are exempt from taxation. It is a very roundabout sort of way to invoke the jurisdiction of the Federal courts, and I doubt very much if they get farther than that.

Mr. LODGE. May I ask the Senator a question?

Mr. FLETCHER. I yield for that purpose.

Mr. LODGE. The Senator spoke about the Federal Farm Loan Board sitting still and doing nothing. Does the Senator mean they are sitting still and doing nothing on account of their belief that the act is unconstitutional, or are they guilty of refusing loans because they think the security bad?

Mr. FLETCHER. Perhaps I went a little too far in saying that they are doing nothing. The board is, of course, occupying offices, and they keep in some sort of touch, perhaps, with the banks. They look after the examination of the Federal land banks, and they keep perhaps in a little touch with the National Farm Loan Associations, but they say they can not make loans because they have not the money. They have not the money because they have not offered the bonds for sale, for the reason, they say, that the bonds will not be taken as long as there is a question as to whether the bonds are legally exempt from taxation or not. Of course, if it is held that they are not exempt from taxation because Congress can not exempt them from taxation, then they must draw a higher rate of interest than they would if they were exempt from taxation.

Mr. LODGE. Their inertia, in other words, which is what I inquired about, grows out of the doubt as to the legality of the bonds, and not out of the fact that they are refusing bad security?

Mr. FLETCHER. It grows out of the uncertainty of the decision of the court, as to whether the bonds are legally tax exempt or not.

Mr. SWANSON. They will have no funds until the funds are derived from the sale of the bonds.

Mr. LODGE. I understand.

Mr. SWANSON. That is the only source of income they have. The Government is selling certificates of indebtedness from time to time, but this suit has made it impossible to sell the bonds at this time. The same conditions that affected the sale of bonds during the war affect the sale of these bonds now from month to month. These are the only funds they have.

Mr. LODGE. The Senator does not quite apprehend my question. I was seeking to find out whether the difficulty in selling the bonds and getting the money arose from the fact that there was a doubt as to their legality, from the questions raised in the Supreme Court, or whether it arose from the fact that the security was not considered good.

Mr. SWANSON. The security was considered good, because up until we entered the war they were rapidly taken. Twenty-six million dollars' worth of these securities were sold prior to the war.

Mr. FLETCHER. They raised \$360,000,000 and loaned it to the farmers in this country at 4½ and 5 per cent.

Mr. SWANSON. The farm-loan commissioner in his letter states that up to date the Federal land banks have made loans to 131,395 farmers, amounting to \$369,242,464, the average to each borrower being \$2,810.

Mr. LODGE. They are not bought now, because they are not thought to be a desirable investment?

Mr. SWANSON. That is true.

Mr. LODGE. And this is an effort to make them a desirable investment?

Mr. SWANSON. No; this is to let the Government buy them; and in the hands of the Government they are not liable to taxation.

Mr. LODGE. They are not a desirable investment to the ordinary buyer; therefore it is sought to make the Government take them.

Mr. FLETCHER. I want to say, Mr. President, if there is any question about the security back of these bonds, and the safety of the bonds themselves, then that question can be raised about any sort of security in this country and as to every sort of security, because if our farm lands have no value any longer, if the property which is mortgaged to secure these bonds is no longer of any value, then the whole country has gone to the bad; that is all there is to that, and we have nothing worth while in this country.

Mr. POMERENE. Mr. President, even if the act were ultimately held unconstitutional, if these farmers receive the money they could not refuse to refund because of that fact.

Mr. FLETCHER. Of course not; there is no question about that. There is nothing involving past transactions in the case, anyhow. But the bonds are based upon mortgages upon real estate, farms in cultivation, of the appraised value of twice the amount loaned in every case. The law provides no loan shall exceed 50 per cent of the value of the land mortgaged and 20 per cent of the value of the permanent, insured improvements thereon. Against these collective mortgages the bonds are issued and sold to the public and the proceeds thereof are loaned to farmers. Consequently, if that security is not good, I say there is nothing good in the country.

Mr. POMERENE. Let me ask the Senator another question. He has said that they refused to function because the legal question was raised. I can understand how that might have some influence with the public. But have they made an effort to sell these bonds, or have they simply assumed they could not sell them because the question was raised?

Mr. FLETCHER. I think that is correct. Mr. President, I am anxious to get to a vote on this question, and I shall not detain the Senate further.

Mr. GRONNA. I want to suggest to the Senator, who has probably overlooked stating it, that these bonds were sold at a premium; they were commanding a premium.

Mr. FLETCHER. That is quite true, and they have been sold heretofore bearing interest at the rate of 4½ per cent at a premium.

Mr. GRONNA. At a large premium.

Mr. FLETCHER. At a large premium.

Mr. GRONNA. And at one time it was impossible for the Government to purchase any of those bonds until the question of the constitutionality of the exemption feature was raised.

Mr. FLETCHER. That is quite true.

Mr. GRONNA. If the Senator will pardon me just another moment, I should prefer the amendment of the Senator from Virginia [Mr. GLASS] to the amendment of the Senator from Connecticut [Mr. McLEAN]. I hope the Senator from Connecticut will increase the amount to at least \$75,000,000. I do not think \$50,000,000 would be sufficient.

Mr. FLETCHER. There is leeway, of course, where there is \$100,000,000. It may be that \$50,000,000 would do, or that \$75,000,000 would do, but I am quite sure the Secretary would not buy more than was necessary.

Mr. GRONNA. I do not want to trespass upon the Senator's time, but the Committee on Agriculture and Forestry, by a unanimous record vote, placed an item similar to this in the Agricultural appropriation bill, and when the Senator from Virginia [Mr. GLASS] asked to have it placed on the pending legislative appropriation bill, I said to him that I preferred that it should go on this bill, and I hope that no one will object to it.

It must be apparent to everyone that if the farmers are to carry on their farming operations, something must be done to relieve the situation.

This would mean no loss to the Government. Every dollar will be paid back. There is no question, I will say to the Senate, as to the legality or the constitutionality of the mortgages. The farmers will pay the mortgages; every one of them will be paid, and, regardless of what the decision of the Supreme Court may be, these bonds will be redeemed.

Mr. FLETCHER. I entirely concur in what the Senator has said. I hope the Senator from Connecticut will not ask to have the amendment go over, but that we may have a vote on it now.

Mr. HARRIS. Mr. President, I wish to make a statement in regard to this matter. If conditions in the other agricultural States are like they are in mine, there will be a demand from the farmers of more than \$100,000,000 a year. More than 40 banks in splendid agricultural communities in my State have closed their doors in three months, the agricultural people are needing the loans from the Federal land banks more than ever before in their history, and I sincerely hope the amount will not be reduced. Unless we arrange to help the farmers get money at a reasonable rate of interest from the Farm Loan Board the farmers will be at the mercy of the loan combines, who charge them unreasonable interest rates. When we were voting money for railroads in the revolving fund—hundreds of millions—we did not hear objection from Senators on the other side who are now raising objections to providing for loans to farmers. I can not believe that some Senators understand the deplorable condition of the farmers in sections of our country, otherwise they would be more willing to join those of us who are urging legislation for their relief.

Mr. McCUMBER. Mr. President, it is admitted that there are now applications which have been approved in the sum of about \$65,000,000. If that be true, and there certainly will be additional applications, why provide for a sum which will be insufficient to take care of even the present approved applications? In all probability the applications will grow at least to \$100,000,000; but, whether they do or not, there will be no necessity of using the credit of the Government for any greater amount than the sum total of the applications, and I hope the Senator from Connecticut will agree that the authority may be for \$100,000,000 instead of either \$50,000,000 or \$75,000,000.

Mr. President, I am exceedingly gratified to find that the Senator from Ohio [Mr. POMERENE] joins with me in the sentiment that we will by this bill do something for the farmers of the United States, even though he accompanies his declaration with

a side kick at the emergency tariff bill. Whenever by law or by lack of proper laws we grind one class of people down to a condition in which they are unable, with the prices they receive for their products, to purchase the necessities of life at the prices fixed by the other class of American citizens for their products and make the two ends meet, I am willing to dole out to them as a semicharitable proposition whatever may be necessary to keep them alive. But I confess I would rather go further, and by legislation, if possible, assist them to a condition in which they will receive such a sum for their products that they will not be compelled to ask Congress for these favors.

I think the farmers would much prefer a price for their product that would enable them to get rid of mortgages rather than to have the Government loan them more cheaply than they can get their loans from private individuals to help tide them over. But admitting the situation to be as it now is, and recognizing their deplorable condition, I am ready to help them out in any possible way, and let the Government, by a system of taxation, raise the money to loan to the farmer so that he can possibly live at least from one year's end to the other.

I think the time is coming, and we may as well face it, in which the great agricultural interests of the country are going to demand rights and opportunities in the American markets for the products of their farms equal to those of the protected industries throughout the United States. I want to help them to bring about that result. Two-thirds of the population of this country are in the cities. They sell their products to the rural population of this country and export what is not sold in this country. They are interested in getting as much as possible for their labor and their products and equally interested in purchasing the agricultural products as cheaply as possible. That is the natural law of human selfishness. If both are able to sell for a good profitable price, all right; but so long as the farmer is unable to secure a just price for his products in the fight against world competition, wherever it is possible for me to help him equalize his condition with that of those from whom he must purchase I shall put in a word and offer a measure for his benefit. Whether we agree that it will be beneficial or not may be a matter of different opinion, but one thing is absolutely certain: If the bill which we are offering him will do him no good, then it will do no one else any harm, and I think we might take the chance of whether it would do him any good.

Mr. POMERENE. Well, Mr. President, I did not intend to provoke this assault. The Senator and I can not agree on his proposition. I think we do agree upon the pending proposition. There has never been a moment in my life when I was not willing to do something to help to conserve the credit of the farmer so that he might get some benefit and get proper financial accommodation. I mean no disrespect when I say that I do not believe in trying to bunco the farmer by presenting a bill which, it is said, will increase the price of his wheat or his cotton.

Mr. McCUMBER. Mr. President, I think the Senator does scant justice to the intelligence of the American farmer. The American farmer generally knows whether he is buncoed or whether he is not. When the great National Grange, composed of the intellectual people of the farming sections of the whole United States, asks for the legislation, then I am not one to stand here and say they are buncoing themselves. They understand the situation. When every farm organization in my State and in the State of Minnesota and throughout that great Northwest sent their resolutions and petitions, long before the bill was introduced, asking for a protection that would be almost tantamount to exclusion, I think they had enough intelligence to know what was for their own good. When every farm journal in the United States is demanding the same kind of legislation, when journals that from one year's end to the other have sought to obtain every possible bit of information upon the subject and to present it from every angle of opposition present their conclusions to the American Congress, I have an idea that they have just as much intelligence on the subject as we have; and if they all want to bunco themselves on a matter which the Senator says will do them no good, then for heaven's sake let them have their way, as long as we admit it will do no one else any harm. For my part, I shall not agree either that they have buncoed themselves or that anyone else is attempting to bunco them.

Mr. POMERENE. The only difficulty is that the class of farmers who have been farming farmers all their lives are the class who have brought forth the legislation.

Mr. McCUMBER. Does the Senator mean to say that the organization of farmers in my State who belong to the Equity Society or who belong to the grange or other farm organizations and who unanimously have asked for legislation of this kind are farming somebody else?

Mr. POMERENE. I am not speaking of the rank and file.

Mr. McCUMBER. But it is the rank and file who are making these applications.

Mr. POMERENE. I am speaking of the political farmer.

Mr. McCUMBER. Yes; but it is the rank and file of farmers who are making this application and petitioning the Senate to act upon their bill.

Mr. POMERENE. Very well.

Mr. McCUMBER. And the Senator can not slur them out of court. Their petitions are entitled to respectful consideration.

Mr. SMOOT. Mr. President, the Senator from Connecticut [Mr. McLEAN] up to this time has found it impossible to even get his proposed amendment read from the desk. I think the discussion that has taken place, without it having been read, is rather premature, so I am going to start out by reading the amendment, and then the Senator from Connecticut, if he desires to offer it later, of course, will do so. The amendment reads as follows—

Mr. FLETCHER. Do I understand this is to be offered as an amendment to the committee amendment?

Mr. SMOOT. As a substitute for the committee amendment; that is, it is proposed for a substitute. It reads as follows:

There is hereby appropriated, out of any money in the Treasury not otherwise appropriated, the sum of \$80,000,000, to be immediately available for the creation of a fund to be known as the farm-loan revolving fund. Such fund shall, upon recommendation of the Federal Farm Loan Board, be invested by the Secretary of the Treasury from time to time as in his judgment occasion may require, in the purchase from any Federal land bank of Federal farm-loan bonds, which shall be purchased at a price not exceeding par and accrued interest, and shall be subject to repurchase by the bank selling same or any other Federal land bank at any time at par and accrued interest, and the proceeds thereof shall be returned to the farm-loan revolving fund, subject only to retirement as hereinafter provided. The fund hereby created shall be retired as follows: Eight million dollars on the 1st of January, 1922, and a like amount on the 30th of June each year thereafter until the same is fully retired. Such retirement shall be by order of the Secretary of the Treasury, covering the amount to be retired into the general funds of the Treasury.

This is a provision that the Secretary of the Treasury and the Federal Farm Loan Board would like to have incorporated in the bill to take care of the farmers.

Mr. POMERENE. Has that amendment been printed?

Mr. SMOOT. No; it has not been printed. I will hand it to the Senator if he desires to look at it.

Mr. FLETCHER. I think it is a very good proposition, I will say to the Senator. So far as I am concerned, there is not very much difference between the two.

Mr. SMOOT. I very much prefer this one. If I am going to assist the farmer, I want to assist him; I want to see that he is assisted and that assistance is rendered in the greatest possible manner.

The substance of the proposed amendment is this, that John Brown, for instance, may want to borrow \$1,000 or \$2,000 from the Federal Farm Loan Board. That may be a temporary loan: Within a year he may be able to pay it back or within six months he may be able to do it. That amount then can be loaned again, and not a single dollar taken out of the Treasury. It is a plan to use the money not once, but over and over again. Under the present amendment, if the money is used once and paid back by the farmer, it goes back into the Treasury of the United States and can therefore be used only once.

Mr. GLASS. Why should it not go back into the Treasury of the United States?

Mr. SMOOT. I am not complaining of it going back into the Treasury of the United States. I am simply saying that under this plan the money will go into the fund and can be used more than once.

Mr. SMITH of South Carolina. The Senator speaks of a revolving fund amounting to \$50,000,000 being appropriated. If the aggregate loans should be \$25,000,000 and the bonds were all paid off and the money returned, then it would be available for relending?

Mr. SMOOT. Yes; it would then be available for relending.

Mr. SMITH of South Carolina. And 10 per cent is to be retired.

Mr. SMOOT. Ten per cent each year is to be retired.

Mr. SMITH of South Carolina. That means that the life of the plan to aid the farmer will be 10 years?

Mr. SMOOT. Yes.

Mr. GLASS. If the Senator will permit me, the Senator knows that there can be no loans for six months. The minimum period is five years.

Mr. SMOOT. No; the Senator does not know that there can be loans for only six months under the amendment. There is no time limit in the Senator's amendment.

Mr. GLASS. Under the act itself there is a time limit.

Mr. SWANSON. Mr. President—

Mr. SMOOT. Mr. President, I prefer to go on and say what little I have to say now.

I admit to the Senate that there are over \$60,000,000 of applications that have been approved by the Farm Loan Board, but those include applications for loans as high as \$10,000 for improvements on farms. Many of them are for that kind of loans. I do not think the Congress of the United States at this time wants to burden the Treasury of the United States to loan money on application to the Federal Farm Loan Board for the purpose of improving farm homes or improving the roads upon the farms or building larger barns, and so forth. What we want to do now is to take care of the small farmer and to carry him over the season.

Mr. HARRISON. But, if the Senator will permit me, the object of the Federal land bank was to make available money so the farmer could improve his land. If the litigation had not been pending in the Supreme Court the money would have been loaned to him and he would have improved his land. So the Senator's argument is that he is against the proposition.

Mr. SMOOT. No; this is an emergency matter, as I said. I am not objecting to that provision in the law at all. This is an emergency matter which I think ought to be used entirely to assist the small farmer over the crisis in which he finds himself. The Federal Farm Loan Board will do that very thing, and applications for that specific purpose will be agreed to by the board before the applications that are now pending, for as much as \$10,000 for the erection of buildings and other improvements upon the farms, are considered.

Mr. SWANSON. I should like to know what provision there is in the amendment to the effect that as soon as a farmer pays his loan the Federal Farm Loan Board is required to turn that money back into the Treasury. As I understand it, the Government buys the bonds and that money is then placed to the credit of the Federal farm loan banks. Then the farm loan banks must redeem the bonds within three years at the suggestion of the Secretary of the Treasury, according to the last provision. But until three years have passed, as I understand it, the money would be available, would it not?

Mr. SMOOT. There is nothing in the amendment now that would justify any such reloaning of the money.

Mr. SWANSON. What is there to prohibit it?

Mr. SMOOT. The amendment reads:

The Secretary of the Treasury is hereby authorized from time to time during the fiscal years ending June 30, 1921 and 1922, respectively, to purchase at par and accrued interest, with any funds in the Treasury not otherwise appropriated from any Federal land bank, farm loan bonds issued by such bank.

Such purchases shall not exceed the sum of \$100,000,000 in either of such fiscal years, shall be made only upon the recommendation in writing of the Federal Farm Loan Board, and the bonds so purchased shall bear interest at the rate of 5 per cent per annum.

Any Federal land bank may at any time purchase at par and accrued interest, for the purpose of redemption or resale, any bonds so purchased from it and held in the Treasury.

Mr. SWANSON. That is right. Now, go right ahead.

Mr. SMOOT. It continues:

The bonds of any Federal land bank purchased by the Secretary of the Treasury and held in the Treasury under the provisions of this act three years from the date of purchase shall upon 90 days' notice from the Secretary of the Treasury be redeemed or repurchased by such bank at par and accrued interest.

The only thing he can do under that language is to redeem or repurchase the bonds.

Mr. SWANSON. It does not say so. If the Senator will permit me, at the end of three years if the Secretary of the Treasury gives notice, any and all of the bonds must be redeemed; but the Federal land bank has its resources; it has its money; and it can at any time redeem the bonds. There is nothing in the language to the effect that the bonds must be redeemed on every payment which is made. The bonds are simply sold.

Mr. SMOOT. But if the board does not hold the money they can not redeem the bonds in three years; or, in other words, if it kept going out from a revolving fund and they had to redeem the bonds at the end of three years, they would not have any funds with which to redeem them.

Mr. SWANSON. That is not compulsory; it is a question of policy.

Mr. SMOOT. But does not the Senator know that if they do not keep the money they can not redeem the bonds?

Mr. SWANSON. They could redeem them.

Mr. SMOOT. But they could not, because they would not have any money with which to do so.

Mr. SWANSON. They would have the money which is being paid in all the time.

Mr. SMOOT. Not if again loaned out, and it will take all the money that is being paid in all the time with which to redeem the bonds.

Mr. SWANSON. The Senator has the idea that a bank can not pay its obligations unless it keeps all of its money in its vaults.

Mr. SMOOT. The Senator from Utah knows that banks always keep a sufficient fund on hand with which to pay daily obligations, but if they had to pay all their depositors on a given day they would have to arrange ahead to do so.

Mr. SMITH of Georgia. What is the amendment which has been proposed by the Senator from Utah?

Mr. SMOOT. I have not offered an amendment, but the Senator from Connecticut [Mr. McLEAN] is going to offer an amendment, which provides for a revolving fund of \$50,000,000. It is a proposition which comes from the Secretary of the Treasury and the Federal Farm Loan Board. They want such legislation; it will enable them to take care of the situation, and think it a better way than the committee amendment.

Mr. SMITH of Georgia. The proposition of the Senator from Connecticut is that there shall be an authorization of \$50,000,000, to be used as a revolving fund, with the requirement that it be redeemed in three years.

Mr. SMOOT. That it be redeemed in 10 years. The proposition is that there shall be a redemption of \$5,000,000 a year. The first redemption is of 10 per cent on June 30, 1921, and a like amount for the next nine years following.

Mr. SMITH of Georgia. The proposition of the Senator from Connecticut is to make the sum \$50,000,000 instead of \$100,000,000?

Mr. SMOOT. To make it \$50,000,000 instead of \$100,000,000. Mr. SMITH of Georgia. And to provide for the redemption each year for 10 years instead of in 3 years?

Mr. SMOOT. Instead of at the end of three years.

Mr. SMITH of Georgia. That is the change proposed?

Mr. SMOOT. Yes.

Mr. SMITH of Georgia. I agree with the view that the 10-year redemption feature would be a substantial help, although it reduces the amount proposed to be authorized.

Mr. SMOOT. That is the amount which the Secretary of the Treasury and the Federal Farm Loan Board suggest.

Mr. McLEAN. Mr. President—

The PRESIDING OFFICER (Mr. ROBINSON in the chair). Does the Senator from Utah yield to the Senator from Connecticut?

Mr. SMOOT. Yes.

Mr. McLEAN. So far as I am concerned, I am perfectly willing to agree that the amount shall be \$75,000,000 instead of \$50,000,000. That certainly will cover every contingency.

Mr. FLETCHER. That would be better, I think.

Mr. GLASS. It is unfair to say that the Secretary of the Treasury and the Farm Loan Board want the proposition which has been presented by the Senator from Connecticut.

Mr. SMOOT. They are in favor of the proposition.

Mr. GLASS. Not in preference to the amendment reported by the committee. I have already explained to the Senate that it was merely a question of comity between the active members of the Federal Farm Loan Board and the ex officio member, the Secretary of the Treasury. The Secretary of the Treasury felt that the Farm Loan Board had initiated the amendment. As a matter of fact, it had done nothing of the sort. So, to meet the view of the Secretary of the Treasury, they brought up to me the modified proposition which the Senator from Connecticut now offers. It is not fair to assume that the Farm Loan Board is opposed to the amendment as reported by the committee. As a matter of fact, it does not oppose it.

Mr. SMOOT. I have not made any such statement upon the floor of the Senate. I do know that the amendment which is here came from the Federal Farm Loan Board, or a member of that board, for it was discussed while the Federal War Finance Corporation bill was being considered upon the floor of the Senate. This was the outgrowth of the movement to assist the farmer along the lines that the Federal War Finance Corporation was to assist him.

Mr. POMERENE. Mr. President—

The PRESIDING OFFICER. Does the Senator from Utah yield to the Senator from Ohio?

Mr. SMOOT. I yield.

Mr. POMERENE. The statement has been made on the floor of the Senate that there had already been \$65,000,000 of loans approved by the Federal Farm Loan Board, and so forth. That being so—and the Federal Farm Loan Board must know that fact—why do they now ask for only \$50,000,000?

Mr. SMOOT. I do not know whether the Senator from Ohio was in the Chamber at the time when I called attention to the facts. I grant you that \$65,000,000 of applications have been approved by the Federal Farm Loan Board, but a great ma-

jority of those loans, I will say to the Senator, are for sums ranging from \$5,000 to \$10,000. They were not made to tide the farmers over this era of distress, but they were made years ago. Many of them, I will say to the Senator, were made for the improvement of farms, for the building of barns and fences and walks and the erection of other buildings.

Mr. SMITH of Georgia. But, if the Senator will allow me, those loans still continue to mature, and now it will be exceedingly difficult for the farmers to finance them unless they continue to have help from the Federal land banks.

Mr. SMOOT. That is exactly what this amendment will do, I will say to the Senator from Georgia. Not only that, but under the amendment which has been offered, the Federal Farm Loan Board can select out of those applications the ones which are made by those who are in distress and who have got to receive immediate assistance. That action could be taken under either proposition. However, I simply call that to the attention of the Senate because of the stress which has been laid upon the fact that there are now existing \$65,000,000 of applications which have been approved.

Mr. McLEAN, Mr. POMERENE, and Mr. SWANSON addressed the Chair.

The PRESIDING OFFICER. Does the Senator from Utah yield; and if so, to whom?

Mr. SMOOT. I think the Senator from Connecticut rose first. I yield first to him and then will yield to other Senators.

Mr. McLEAN. Mr. President, notwithstanding the statement made by the Senator from Utah, I think that we ought to cover everything that may be necessary.

Mr. SMOOT. I did not say that we should not do so.

Mr. McLEAN. And if it is not necessary, they will not use it; \$75,000,000 will certainly cover everything that is necessary.

Mr. SMOOT. I do not object to that, I will say to the Senator.

Mr. McLEAN. It seems to me that the question then is as to which plan is the better one.

Mr. SMOOT. That is all there is to it.

Mr. SMITH of South Carolina. May I ask the Senator from Connecticut if the question is which is the better plan, the revolving-fund idea being in his amendment more prominent than in the other, why should we not raise the amount to \$100,000,000, because the Senator knows and I know and all other Senators here know that a condition of distress exists?

Mr. McLEAN. I can not conceive that more than \$75,000,000 will be necessary. Congress will be in session again in April, and if it should become necessary we could add to the amount then. In my opinion \$75,000,000 will certainly be enough to cover the emergency.

Mr. SMITH of South Carolina. If the Senator will allow me, I should like to call his attention to the fact that there is in the New York Times this morning an article in regard to the conditions existing, and I think those conditions are depicted in that article with entire accuracy. The 1st of March will soon be here. Between now and the 15th of March, if the hope of a great many farmers for any kind of an extension shall not be realized, and they shall be unable to secure these loans, they will not be able to make another crop.

I state now that \$100,000,000 will not more than take care of the situation.

Mr. SWANSON. Mr. President, if the Senator will permit me, the Federal Farm Loan Board were loaning at the rate of \$15,000,000 a month at the time they ceased operations. The conditions now are much worse than they were at that time. Sixty-five million dollars of approved applications have accumulated. At the rate of applications for \$15,000,000 a month, if the farm-loan bonds had continued to be purchased by the Federal Government, there would have been applications for \$180,000,000 a year.

The Farm Loan Board says the conditions are worse and that it is impossible for them to secure funds unless some provision is made by this bill. The Government is now selling practically \$2,000,000 worth of certificates of indebtedness from month to month, and thereby absorbing the loaning power of the country, so that it will be very difficult to float bonds of the Federal land banks bearing $5\frac{1}{2}$ per cent interest when the Government is borrowing money at $5\frac{1}{2}$ per cent and 6 per cent interest. So the same conditions that stopped the Federal land banks from selling their bonds during the war on account of the Government floating the Liberty loans exist to-day, and so long as the Government shall continue to borrow money by certificates of indebtedness it will absorb to a great extent the loaning power of the country. Consequently, it seems to me the same wisdom which prompted the Government to buy these bonds during the war should dictate a similar course to-day. The amendment simply provides an authorization which would

allow the Government to control the loaning of money so far as this Government instrumentality is concerned.

Mr. SMOOT. Now, Mr. President, I should like to proceed.

Mr. SIMMONS. Mr. President, will the Senator from Utah yield to me for just a moment?

The PRESIDING OFFICER. Does the Senator from Utah yield to the Senator from North Carolina?

Mr. SMOOT. Yes.

Mr. SIMMONS. I wish to say that I think there is a great deal of force in what the Senator from Utah said a little while ago with reference to the changed conditions, which ought to bring about a change in policy in connection with making these loans. I know that \$65,000,000 of applications have already been made, but those applications were made at a time when the board was pursuing a different policy from the one which they ought to pursue to relieve those in distress, those who are asking for relief, and who ought to have relief.

Mr. SMOOT. The small farmer.

Mr. SIMMONS. The small farmer; yes. I think those applications ought probably to be scrapped. I doubt whether we are in a condition now to make that character of loans. I think it would be very much better in view of the situation to change the policy so as to make it apply for the purpose of relieving the present emergent situation.

While I agree with the Senator with respect to that, I am thoroughly convinced from my knowledge of the situation and the requirements of the farmers that even \$75,000,000 will not be adequate. I do not believe that \$100,000,000 will be adequate, but I think the Senator ought to consent to the \$100,000,000 limitation. That will be of some material assistance.

The other feature which differentiates the plan which the Senator from Utah is advocating and that which the Senators from Virginia are advocating appeals very strongly to me. I very much prefer the revolving-fund system to the flat system, and if the Senator from Connecticut, who has offered the amendment, will raise the amount to \$100,000,000 I should prefer his proposition.

Mr. SMOOT. Mr. President, I wish to state further that under the committee amendment that whole sum will be due within three years, and there will be no fund to redeem the bonds unless loans are repaid by that time. As the payments come in there will be no interest collected on them, but that fund will have to remain intact, not drawing any interest. In the case of the revolving fund, however, the money comes in one day and goes out the next, or, at least, it will not take more than a week, because the applications have already been approved. Therefore, Mr. President, I think \$50,000,000 in a revolving fund will go just as far as \$100,000,000 under the proposal of the committee amendment, and I am quite sure that \$75,000,000 under the revolving-fund system will go further than \$100,000,000 under the other system to relieve the distress of the farmer.

I do not mean the farmer who has a farm of 6,000 acres, with automobiles and horses and barns. I mean the man that Congress wants to help, the small farmer that wants to borrow \$1,000, or \$2,000, or \$3,000, but not above that.

I had hoped, Mr. President, that the Supreme Court would hand down its decision months and months ago. I warned the Senate, when they undertook to put in the joint-stock land banks that that course would make trouble for the Federal Farm Loan Board system. I warned the Senate that we had no right whatever to authorize individuals in this country to incorporate themselves into a company and issue obligations that were free from taxation. Not only that, but after the law passed, and the joint-stock companies began to be organized, a provision was put into the revenue law that the interest from those tax-free obligations should not be taxed. I pleaded with the Senate to take the House provision out. The Senate did take it out, but it went back in conference. Unless the bill that I have introduced, and that has been reported favorably to the Senate and is now on the calendar, is passed, mark my words when I say that men who desire to loan money in the United States had better organize themselves into a joint-stock land bank under the existing law.

Mr. President, of course everybody is worried over the distress of the farmer; there is not any question about that; but I want to say frankly to you, Senators, that I am worried to-day over the distress of our Treasury. I do not see where we are going to land. I say now that if the returns upon the business for 1920 continue in the same proportion of reduction as the returns that have been received, instead of receiving what we anticipate for the business year of 1920 we shall fall short hundreds of millions of dollars. When it comes to the question of appropriations, I have almost given up all hope of

getting them reduced; but remember, Senators, the money to meet them will have to come from some source, and I do not say this with particular reference to this proposed amendment; but I say it because I not only want the Senate to know it but I should like to have the country know it as well.

Mr. GLASS. Mr. President, I was just wondering what particular application the Senator's remarks have to this proposition. As a matter of fact, under the amendment he has proposed the Treasury of the United States will be kept out of its funds much longer than under the amendment reported by the committee.

Mr. SMOOT. Let me tell the Senator from Virginia one thing, and I think he knows it. The Senator knows that if that loan is made, and if at the end of three years it is not paid back, Congress will simply extend the time of payments; that is all.

Mr. GLASS. As a matter of fact, the Senator from Virginia knows just as well as he can know anything, that when the Supreme Court shall have delivered its decision, if it maintains the validity of the tax exemption, the Federal land-bank system of this country will not require any aid from the Government. As a matter of fact, it can go out as it went out on former occasions and sell its bonds more readily than any other institution that I know anything about in this country.

Mr. SMOOT. There is no question about it.

Mr. GLASS. As a matter of fact, if the Senator will permit me, I know that the Government has interfered too much with the operation of the farm-loan system rather than aided the farm-loan system. As Secretary of the Treasury, I myself prevailed upon the Farm Loan Board to keep their bonds off the market while we were conducting the Liberty loans, and they did keep their bonds off the market; and if the court will just hand down its decision, if that decision is in favor of the validity of the tax-exemption feature of these bonds, I guarantee that the Federal Farm Loan Board will never have occasion to come to Congress for any financial aid.

Mr. SMOOT. Mr. President, I am as positive as that I stand here that if the Supreme Court decides that the Federal farm loan act is constitutional, the Federal Farm Loan Board could sell \$1,000,000,000, yes, \$2,000,000,000 and more of bonds exempt from all forms of taxation. Why, Mr. President, talk about Liberty bonds! The Government was trying to sell Liberty bonds, and they were taxable, and the Federal farm-loan bank was selling 5 per cent bonds with no tax imposed upon them. Anyone who pays an income tax would buy the Federal farm-loan bonds in preference to the others.

Mr. GLASS. Then why does the Senator say that in another year the Federal farm-loan banks will be back here in Congress? Does the Senator apprehend that the Supreme Court will declare invalid the tax-exemption feature of these bonds?

Mr. SMOOT. Yes, Mr. President; I am very, very apprehensive of it and because of the joint-stock land banks. I think the Supreme Court of the United States can not hold otherwise as to them.

Mr. GLASS. I hope the Supreme Court of the United States will hold that the joint-stock land bank feature of the act is invalid, but I have no idea in the world that the Supreme Court of the United States will hold the tax-exemption feature of the Federal farm-loan bonds invalid.

Mr. SMOOT. That may be, but I can not see how the Supreme Court is going to decide otherwise. Why should the Senator from Ohio and the Senator from Virginia and the Senator from Kentucky and the Senator from South Carolina and the Senator from Utah have the privilege, as individuals, of organizing a joint-stock land bank and issuing bonds free from taxation?

Mr. SMITH of Georgia. As the Senator said, we struck out in the Senate that special privilege of exempting their bonds from taxation, and I agree with the Senator that they ought not to be exempt. Now, suppose the Supreme Court should hold that that branch of the act was invalid. Under the terms of the act it is not necessary to extend the decision of invalidity to our Federally organized banks.

Mr. SMOOT. There is a question there which is a very close one.

Mr. SMITH of Georgia. I should be glad to see the bill amended, and amended at once, subjecting the bonds issued by these private companies to income taxes just like any other loans. The truth is I never did believe much in them. I thought the work ought to be done through the Federal organization.

Mr. SMOOT. If we could only get the Senators in the Chamber when the proposal was up, perhaps we could get a favorable vote on it; but I will say to the Senator from Georgia that it has been absolutely impossible to do so thus far.

Mr. SMITH of Georgia. Any time when the Senator can call it up I shall be glad to support immediate action on it.

Mr. SMOOT. Mr. President, I do not want to take any further time on this matter.

Mr. FLETCHER. Mr. President, let me say for the joint-stock land banks that they are limited to 6 per cent. They can not charge a borrower in excess of 6 per cent.

Mr. SMOOT. Who would want a greater privilege than to lend money at 6 per cent, and, under the law, be authorized to lend fifteen times the capital stock? In other words, the Senators that I spoke of could organize themselves into a joint-stock land bank, they could put up a million dollars of capital stock, and under the law itself they are authorized to issue \$15,000,000 in tax-exempt securities.

Mr. SMITH of Georgia. Their 5 per cent bond is better than any 7 per cent security to a man who has an income over \$100,000.

Mr. SMOOT. That is true.

Mr. SMITH of Georgia. And when the income gets up to a million dollars—

Mr. SMOOT. Then it is worth more than 9 per cent.

Mr. McLEAN. Mr. President—

The PRESIDING OFFICER. Does the Senator from Utah yield to the Senator from Connecticut?

Mr. SMOOT. I do.

Mr. McLEAN. I want to perfect my amendment by striking out "\$50,000,000" and inserting "\$80,000,000." Then, near the end of the amendment, I desire to strike out "\$5,000,000" and insert "\$8,000,000" for retirement each year.

The PRESIDING OFFICER. The Senator has a right to modify his amendment.

Mr. SMITH of Georgia. Mr. President, I wish to call attention to the provisions of the measure as it is reported.

First:

The Secretary of the Treasury is hereby authorized from time to time during the fiscal years ending June 30, 1921 and 1922, respectively, to purchase at par and accrued interest, with any funds in the Treasury not otherwise appropriated from any Federal land bank, farm-loan bonds issued by such bank.

Such purchases shall not exceed the sum of \$100,000,000 in either of such fiscal years.

So that really the provision as it is contained in the bill authorizes the purchase of \$200,000,000. It makes it practicable to purchase \$200,000,000. The only part of the provision in the amendment reported by the committee that disturbs me somewhat is this provision:

The bonds of any Federal land bank purchased by the Secretary of the Treasury and held in the Treasury under the provisions of this act, three years from the date of purchase, shall upon 30 days' notice from the Secretary of the Treasury be redeemed or repurchased by such bank at par and accrued interest.

Does the Senator from Virginia feel sure that it would be practicable to redeem these bonds in three years, or does he think this is a mere discretion, and that unless the necessities of the case require it it will not be called into operation?

Mr. GLASS. Very likely not. As a matter of fact, however, the members of the Federal Farm Loan Board feel absolutely sure, as I do, that in the event the decision handed down by the Supreme Court should sustain the validity of the tax exemption of the Federal farm-loan bonds, the banks will experience no difficulty whatsoever in selling all the bonds that they may require.

Mr. SMITH of Georgia. And, furthermore, it may be to the interest of the Treasury to continue to take them up, rather than to put these nontaxable 5 per cent bonds on the market to compete with our own securities. The Secretary of the Treasury would have every inducement to take care of them.

Mr. CALDER. Mr. President, the senior Senator from Utah [Mr. Smoot] stated a moment ago that if the action that is pending in the Supreme Court, contesting the validity of the farm loan act, is not sustained, and the law is held to be valid, it will be possible for the farm-loan banks to float a billion dollars' worth of their bonds at 5 per cent. I agree with the Senator from Utah. It is my opinion that they could float \$2,000,000,000 or even \$3,000,000,000 worth of these bonds, for the great moneyed interests of the country, the men with large incomes, would take them at once, thereby freeing themselves from taxation.

I said a moment ago that there was in this country nearly \$15,000,000,000 worth of tax-exempt securities, and that this would add to that amount \$200,000,000. So if the law is held valid and the farm-loan banks finally issue these bonds, there will be no difficulty in disposing of them, and while they will be helpful to the farmer they will also afford an avenue by which the rich men and women of the country may escape taxation.

In spite of the statement I have just made, I am not going to make the point of order against the provision. In my State of New York, which is one of the greatest agricultural States of the Union, the farmers are not particularly clamoring for this

law. They have been fairly prosperous. Nearly all of them own automobiles. In the main, their farms are not mortgaged. They have made money in recent years. This particular legislation is not of any great advantage to them. But, Mr. President, I have been through the country during the past eight months representing a committee of this body, inquiring into the condition of the men in America who desire homes—the man on a wage, the business man with a small income—and to-day there is in the United States a need for at least 1,500,000 more homes for the people to live in. There is a shortage in nearly every city and village in the Union. Our committee had a hearing in Denver, and people came from Cheyenne, the home of the chairman of the Appropriations Committee, to tell us of their housing needs. In Kansas City they came to us a distance of 500 miles to explain their troubles and appeal for help. It will take at least \$5,000,000,000 to meet the Nation's needs in this regard. We have done nothing here, nor in any State of the Union, so far as I know, toward affording facilities to help in this situation. In my own State they have passed rent laws. Perhaps there was a demand for them, on account of the avaricious landlords. We passed a rent law here some time ago, and we passed another one the other day. That kind of thing tends to discourage building, and nowhere is serious thought being given to a solution of this problem, which is fraught with so much concern to our cities.

I introduced some months ago a home-loan bank bill which, if it had been enacted into law, would have permitted the organization in the several reserve bank districts of home-loan banks, created through subscription to the stock by the building and loan associations in these districts. It would have provided for the discounting of the mortgages now held by the building and loan associations of the country; and, in my opinion, in time of real need on the part of the home seeker would have made at least a billion dollars more available for financing the building of homes.

We have had a hearing on that bill before the Committee on Banking and Currency, but I have been unable to convince a majority of the members of that committee that the bill is a real necessity. The committee feels, perhaps, that it would create more tax-exempt securities; and really, Mr. President, that was the important reason that prevailed against my being able to obtain favorable consideration for the bill.

But I have introduced another bill, Mr. President, a very simple measure, which will do more to obtain money for the financing of building loans and for financing farm buying and farm owning than any other thing that has been presented so far as I know in this Congress.

We are short of money for financing the purchase of farms and homes to-day because of the fact that individuals who formerly loaned on properties of this character, on account of the excessive tax on their incomes, are placing their funds either in tax-exempt securities or investments bearing a higher rate of interest than paid on mortgages.

From the individual in the past has come most of the money for home and farm financing. Men of large income find that mortgages bearing 6 per cent, when the Federal taxes are paid often net less than 2 per cent, and these men are taking their money out of mortgage financing. I repeat we are doing nothing for the city dweller, although, as I said a moment ago, we never were so short of homes for the people, and there is an insistent demand that something should be done, and at once.

I have a bill which I shall introduce as an amendment to the substitute of the Senator from Connecticut, if it is adopted, and if it is not adopted I shall introduce it as an amendment to the committee provision.

My bill provides that the amount received by an individual as interest on an aggregate principal not to exceed \$40,000 of loans secured under a mortgage on real estate, including farms, and upon bonds or other securities of indebtedness of equal amount secured by or issued against such mortgage or mortgages, shall be exempt from all Federal taxation.

Mr. President, that amendment will simply provide that any individual holding mortgages up to \$40,000 against a home in the city or a farm in the country would have \$2,400 of his income exempt from taxation. I think the enactment of that bill would do more to attract money for the financing of farmers and homes than any other thing that has been proposed here or in the other House of Congress. Unless something of this kind is brought about, unless Congress does something to encourage the financing of home building in the cities, then, Mr. President, perhaps next year or the year after we may be facing the condition that England, France, Belgium, Holland, and Denmark have had to face in recent years, when the Governments themselves have been compelled to come in and build homes to take care of the people. In England to-day the Gov-

ernment is building 500,000 workmen's houses. I am opposed to having the United States going into the housing business in any form. The amendment which I propose to offer will, in my opinion, encourage the financing of the building of homes and of the purchasing of farms, and will tend to prevent the very thing Senators fear.

If my amendment is agreed to the loss to the Government in income will be very slight. I venture to state, Mr. President, it will be less than the Government will lose as a result of the wealthy men of America buying the \$200,000,000 of bonds provided for in the provision now under consideration.

The present tax laws, Mr. President, have affected materially the financing of the purchase of farms and the building of homes, and I know that if Senators have studied this problem carefully in their States, and realize that the matter of providing homes for the people is just as necessary and pressing as the financing of farms, they will agree that the adoption of my amendment will tend to greatly help the situation.

Mr. HARRISON. Mr. President, I am in sympathy with the Senator from New York [Mr. CALDER] in his desire to encourage home building and to aid people in obtaining homes. I do not know whether his bill has ever been considered by a committee or whether it has been favorably reported.

Mr. CALDER. It is a matter which, if it were an original proposition, would have to emanate in the House. This is a House bill.

Mr. HARRISON. Has it passed the House?

Mr. CALDER. It has not. It has been considered by a committee there, however.

Mr. HARRISON. I am very hopeful we will be able to incorporate one or the other of the propositions in the pending legislative appropriation bill. As was suggested by the Senator from North Dakota [Mr. GROENNA], the chairman of the Committee on Agriculture and Forestry, day before yesterday that committee unanimously voted to incorporate in the general appropriation bill for agricultural purposes a provision authorizing the Government to take a hundred million dollars of these bonds for the years 1921 and 1922.

The proposition advanced by the Senator from Connecticut [Mr. McLEAN] and indorsed by the Senator from Utah [Mr. SMOOT] to create a revolving fund, so that short-term loans might be made to farmers, is a very good idea, and I would very much like to see both propositions incorporated in this bill. The argument the Senator from Utah made would indicate that he is not very much in favor at this time of the Federal Farm Loan Board functioning according to the object and purposes stated in the statute. He says that this ought to be utilized for emergency purposes. I differ with him as to that. I believe that, notwithstanding the litigation pending in the Supreme Court touching the constitutionality of the proposition, the Farm Loan Board should be functioning, should be lending money to the farmers of the country on long terms, at low rates of interest, and giving them the advantages of the provisions of the law.

I believe, in addition to that, that the Federal Government could render the farmers no better service than to pass some law that would allow them to borrow money at low rates of interest for short terms to enable them to hold their staple products.

It is very true that the proposition advanced by the Senator from Connecticut would in a measure do the latter. But we ought to take care of both propositions in this bill. We ought to allow the Farm Loan Board to function according to the purposes and objects set out in the statute, and authorize the Government to take over about \$100,000,000 worth of these bonds each year for the years 1921 and 1922, and, in addition to that, in accordance with the plan suggested by the Senator from Connecticut, we ought to authorize the Government to take over about \$50,000,000 worth of bonds in order to create a revolving fund so that smaller loans might be made for shorter terms at lower rates of interest.

If we should incorporate both of those propositions in the bill we would be of some real service to the farmers of the country.

Mr. McLEAN. There would be much force in the position taken by the Senator from Mississippi if it were not fair to assume that the Supreme Court would decide the case involving the constitutionality of the act some time within a month or two. It seems to me unthinkable that we will not get a decision within a month or two on a matter of such consequence. The plan that is proposed in my amendment will take care of all the features suggested by the Senator from Mississippi for some time to come.

Mr. HARRISON. I differ with the Senator about that. We have been discussing this emergency tariff bill for weeks, and a great deal has been said about the farmers. I have opposed that

measure, and I have not opposed it because I am opposed to the farmers of the country, because I know of no reasonable demand which has ever been made by the farmers of the country that I have not cast my vote for. I chose when I came to the Senate to try to get on that committee of the Senate which might help the farmers of the country, and I have been glad every day since that I have been a member of the Committee on Agriculture and Forestry of the Senate. I am glad to help the farmers in any way, because I realize the conditions they are constantly up against.

Mr. McLEAN. We all realize that, and we want to do something effective.

Mr. HARRISON. As I say, then, if we want to do something effective, if we will take the plan suggested by the Senator from Virginia, and incorporate it in this bill, and allow the Federal Farm Loan Board to function just as it was intended it should function, and allow the Government to take over a hundred million dollars' worth of these bonds, and then incorporate at the same time the provision of the Senator from Connecticut to create this new revolving fund and take care of emergency cases, in that way we can pass some real legislation for the farmer. Did the Senator want to suggest something else?

Mr. McLEAN. It does not seem to me that we have to combine these two amendments. It is to meet an emergency, and if my view of the Federal farm-loan system is correct, \$50,000,000 is all that is needed under the plan that is suggested in my amendment. I propose to increase it to \$80,000,000, because it has been stated here that there are something like \$65,000,000 of applications that have been accepted, Congress will be in session in April, and if that does not meet the emergency, or if the Supreme Court holds that the law is unconstitutional, then we will have to do something radical in the way of providing legislation to enable this system to function. It seems to me this is all that is necessary. I am heartily in sympathy with the purposes of the Senator from Mississippi.

Mr. HARRISON. I am sure the Senator is.

Mr. McLEAN. I would not have raised any opposition to the amendment suggested by the Senator from Virginia if the matter had not been called to my attention by those who are administering the functions of this board, and there seems to be some misunderstanding.

The Senator from Virginia [Mr. GLASS] has a different interpretation of the position of the board from what I have, and I have suggested that the matter be postponed temporarily until we could consult with those who are interested and agree upon some proposition. I have no pride in the matter and I have no desire to postpone a vote. All I want is to have the Senate understand the plans and to take their choice.

Mr. HARRISON. I will say to the Senator that it would make no difference if the Secretary of the Treasury and the Farm Loan Board were opposed to it, I would be for it, and I think it merits the support of the Senate. So far as the amount suggested by the Senator in his amendment is concerned, it is totally inadequate. It would never be sufficient to take care of the demands. My mail is filled with suggestions from my constituents, and I imagine the mail of other Senators is, too, calling attention to the fact that the Farm Loan Board is not functioning, and that if it could be revived and allowed to function it would be able to a large extent to take care of the present situation.

Mr. McKELLAR. So far as I am concerned, I would be very much better pleased to amend by increasing rather than by diminishing the amount for this purpose.

Mr. HARRISON. If the Senator from Connecticut is going to offer a substitute for the proposition, because we have to either vote it up or down, I certainly hope he will not propose to decrease the amount suggested by the committee. I know how the Senator feels, because he has been very kind in this matter. As chairman of the Committee on Banking and Currency, he voted for and reported out a provision, on May 19, 1920, I think it was, allowing the Government to take care of a certain amount of the bonds. I think in that instance it was \$26,000,000. The Senator from North Dakota handled it upon the floor of the Senate at that time. That was the second time that the Government had done this. In 1918 they authorized the taking over of \$100,000,000 of the bonds. If the Senator is going to offer a substitute, surely he should not make it less than \$100,000,000, the amount that the committee has thought wise to take over, so that it will not be a reduction below that figure. Whether his plan is better than the other plan or not I do not know. I think either of them would render a great service to the people; but let us not cut the amount lower than

that. I hope the Senator will make the amount in his plan \$100,000,000. Of course, if there is no need for it, it may be, as the Senator realizes, as in 1918, when the Congress authorized the Government to take over \$100,000,000, when it was necessary to take over only \$36,000,000. There were \$64,000,000 of bonds that it was not necessary to take over. It may be unnecessary, but let us keep the amount at least up to the figure that was reported by the committee that considered the matter and the amount reported also by the Committee on Agriculture.

Mr. McLEAN. We may not have all the confidence in the world in the Federal Farm Loan Board and the Secretary of the Treasury, but it does seem to me that their views are entitled to fair consideration by the Senate. From the information I get from that quarter, \$50,000,000 is enough. I do not like to agree to make it \$100,000,000. I do not see why we should overdo it and appropriate more than is necessary, because there is always a temptation to use it. In the present condition of the Treasury, if we appropriate all that is said to be necessary, certainly we can afford to stop there.

Mr. HARRISON. Of course, the Senator recognizes the fact that under the committee amendment they might spend only \$75,000,000 or \$80,000,000, but they are authorized to spend more if necessary.

Mr. McKELLAR. They might not spend \$10,000,000.

Mr. McLEAN. There is no evidence before the Senate that more than \$65,000,000 will be necessary.

Mr. HARRISON. The fact is, as the Senator knows, that the Federal Farm Loan Board has not functioned since the Supreme Court has been considering the pending case. There has been no activity upon the part of anybody to get farmers to make applications for loans. The farmers all over the country are anxious to obtain loans, but they have thought, because of the litigation pending, that it would be impossible for them to get them. Applications will flow in, and I do not think \$100,000,000 will be a drop in the bucket to take care of the proposition.

Mr. McLEAN. I ask unanimous consent that the amendment may be temporarily passed over.

Mr. WARREN. I wish to ask what that means, and if it means simply laying it aside? Of course, we can not lay it aside to wait for a court decision.

Mr. McLEAN. Oh, no; I mean for not more than half an hour or an hour.

The PRESIDING OFFICER (Mr. ROBINSON in the chair). The Senator from Connecticut asks unanimous consent that the pending amendment be temporarily passed over. Is there objection?

Mr. McKELLAR. I understand the Senator only wants to have it passed over for half an hour.

Mr. McLEAN. I do not think it will be necessary to postpone action for more than an hour.

The PRESIDING OFFICER. Is there objection?

Mr. HEFLIN. I object.

The PRESIDING OFFICER. Objection is made.

Mr. HARRISON. Mr. President, will not the Senator from Connecticut offer his substitute in the amount of \$100,000,000?

Mr. McLEAN. I do not think I am justified in taking the responsibility for that. It is for the Senate to decide. I have to act on my own judgment.

Mr. HARRISON. I understand that. The Senator is chairman of one of the big committees of the Senate. But here is the Committee on Appropriations which says that \$100,000,000 is needed, and here is the Committee on Agriculture and Forestry which says that \$100,000,000 is needed, and here was the Congress of 1918 authorizing the taking over of \$100,000,000 of the bonds, but they used only \$34,000,000 of them.

Mr. McLEAN. I think the Agricultural Committee recommends \$200,000,000.

Mr. HARRISON. One hundred million dollars for 1921 and \$100,000,000 for 1922. It looks to me as though we could almost have a love feast here if the Senator would make it \$100,000,000. Do I understand the Senator to say he will make it \$100,000,000?

Mr. McLEAN. No. I can merely repeat what I said. I am only one member of the committee and one member of the Senate, and I do not feel justified in assuming that responsibility.

Mr. HARRISON. Then, I move that the amount incorporated in the substitute be increased from \$80,000,000 to \$100,000,000.

The PRESIDING OFFICER. The Chair suggests to the Senator from Mississippi that that would be an amendment in the third degree. The pending amendment is the amendment offered by the Senator from Virginia [Mr. GLASS] and reported by the committee. To that amendment the Chair understands that the Senator from Connecticut has offered an amendment in the nature of a substitute. The suggestion of the Senator from

Mississippi is to amend the amendment of the Senator from Connecticut.

Mr. HARRISON. It would seem to me that the substitute could be perfected.

The PRESIDING OFFICER. But that would be an amendment in the third degree.

Mr. SIMMONS. Mr. President, I wish to make an inquiry. If the substitute is adopted, then can we amend the substitute or can we not?

The PRESIDING OFFICER. The substitute can not then be amended.

Mr. SIMMONS. Then we can amend it neither before nor after. Is that the way the matter stands?

The PRESIDING OFFICER. Under the parliamentary situation the Chair thinks the proposition of the Senator from Mississippi would be an amendment in the third degree.

Mr. SIMMONS. I understand. I was not suggesting to the contrary.

The PRESIDING OFFICER. However, if there be no objection, the Chair will entertain the amendment of the Senator from Mississippi. The Chair hears no objection. The Secretary will state the amendment offered by the Senator from Mississippi.

The ASSISTANT SECRETARY. Strike out "\$80,000,000" and insert in lieu thereof "\$100,000,000," so as to read:

There is hereby appropriated, out of any money in the Treasury not otherwise appropriated, the sum of \$100,000,000, to be immediately available, for the creation of a fund to be known as the farm-loan revolving fund.

Mr. UNDERWOOD. Mr. President, I shall detain the Senate but a moment. I intend to support the motion of the Senator from Mississippi, because I do not know which one of the proposals is going to be accepted. To my mind it is not very material which one is accepted. The real question is whether money to the extent of \$100,000,000 is going to be provided to take care of the distressed condition of agriculture in the United States at this time. I am sure that if we are going to reach the situation, \$100,000,000 is not sufficient. Of course, \$100,000,000 will be helpful, but it will not be enough to relieve the situation throughout the country, if we intend to relieve it all. Possibly we could not relieve it all without placing too severe a strain on the Treasury.

Mr. WARREN. Mr. President, will the Senator yield?

Mr. UNDERWOOD. Certainly.

Mr. WARREN. Does the Senator think it a good idea to have a revolving fund rather than to make a straight calculation and grant the straight liberty of using the fund and then letting it go back into the Treasury?

Mr. UNDERWOOD. Yes; I think it would be a fine thing to have a revolving fund, but in my judgment that is what we will have under either proposition.

Mr. WARREN. So far as the chairman of the committee is concerned, if we go into the revolving-fund proposition, generally speaking, we have not only lost control of pretty much all the appropriations, but we have lost all knowledge of expenditures under them.

Mr. GLASS. May I interrupt the Senator from Alabama?

Mr. UNDERWOOD. Certainly.

Mr. GLASS. The Senator does seem to appreciate exactly the difference between the two propositions. Suppose we should adopt the amendment of the Senator from Mississippi and increase the revolving fund to \$100,000,000. We would have \$100,000,000 of the Government money tied up for a period of 10 years when it might not be necessary at all; whereas, under the committee amendment, we would not have tied up a dollar more than is necessary. There is that difference between the revolving fund and the proposition as reported by committee.

Mr. UNDERWOOD. As I understand the matter, either would have the effect of a revolving fund. I think the Senator from Virginia is correct in the statement that if we adopt the amendment of the Senator from Connecticut we would have this money tied up for an indefinite time. If we adopt the proposal of the committee, the exigencies of the occasion will solve the problem. As I understand the law, the Federal Farm Loan Board will take the original capital and loan it to those who need it, and as soon as the loan is made they take the bonds, which are the basis of the loans, and sell them to get money to make new loans. The only reason why that practice has not been continued is because the constitutionality of certain features of the law has been threatened, and they can not sell their bonds until that question is determined.

I do not think they could accomplish the result under the proposal of the Senator from Connecticut unless the decision of the Supreme Court is in favor of the constitutionality of those tax-exempt bonds. If it is, undoubtedly the proposal of the committee would meet the situation, because as soon as the Su-

preme Court removed any challenge to the constitutionality of the bonds, the hundred million dollars of bonds could be sold time and time again by being loaned, the bonds sold for new loans, and the money loaned over again. I do not see that there is very much difference in the situation, except that I think, from the Government standpoint as well as the standpoint of those who want to borrow the money, the original proposition of the committee is the better one.

But what I rose specially to say is that there seems to be some misapprehension in the idea of how much money is needed. It is contended that the money is not needed, because the applications are not on file with the Federal Farm Loan Board. We all know that for months and months past the farm-loan organization has refused to send appraisers into the field to pass on pending applications for loans, because they said they did not have the money to advance if the applications were approved, which was a very proper decision from their standpoint not to encourage the man that he was going to get the money if they did not have it to lend. The reason why there have been less than \$100,000,000 of applications for the money is not because it is not needed, but because the organization of the Farm Loan Board has failed to send its inspectors and agents out into the field to pass on the applications that were already made.

Mr. President, I merely wish to add that we now have before the Senate the emergency tariff bill and the legislative, executive, and judicial appropriation bill. The emergency tariff bill comes here as a proposal to help the farmer; it proposes to levy hundreds of millions of dollars of taxes directly and indirectly on the American people. Perhaps I use the word "taxes" improperly, because possibly under a proper definition a tax would be something that goes into the Treasury; but I may say that the bill proposes to levy hundreds of millions of dollars of charges against the American people, and probably half of the amount collected will never go into the Federal Treasury by way of taxation, but will go into the pockets of some individuals as an aid to their particular interests. Why should we hesitate to take the action proposed in the case of the Federal Farm Loan System? What is the Federal Treasury? What is the basis of it? The Federal Treasury is not merely the money that happens to be lying in its vaults to-day; that would not last three months; the power of taxation behind the Government is the Federal Treasury. Why should we hesitate to-day to put a burden on the Treasury of \$100,000,000 in a direct and proper way for the benefit of the great mass of people engaged in agriculture, when the money must come from taxation in the end, and yet not hesitate in the case of the emergency tariff bill to impose from half a billion to a billion dollars of burden on the same people in an indirect way to accomplish the same result?

I think it is idle to make the argument that the Treasury can not stand it, because the Treasury means nothing but the power of the American people to stand taxation. When Senators are insisting on the passage of the emergency tariff bill, I do not think Congress ought to hesitate a moment to make the sum carried in the amendment \$100,000,000, so that whichever provision may be adopted we shall have the \$100,000,000. I am sure that that is not enough money with which to meet the present emergency. Of course, if the amendment of the Senator from Mississippi shall be adopted, I intend to support the committee amendment, as I think it will meet the situation more directly. It will not involve a change in existing law, but it will meet the emergency within the terms of the law without a change of the law. It will continue the existing system, and I think it is the better method; but, at any rate, whichever method is adopted, let the amount of money be the same.

Mr. GRONNA. Mr. President, the pending question is of such importance that I certainly shall not delay the proceedings of the Senate for more than a moment. As a member of the Committee on Appropriations I supported the amendment in committee, and I also supported a similar amendment in the Committee on Agriculture and Forestry. As I said a few moments ago, I prefer that the amendment should be attached to the legislative, executive, and judicial appropriation bill rather than to the Agricultural appropriation bill, although the amendment is now also embodied in the Agricultural bill, which is being prepared and will be reported in the course of a day or so.

When the Federal farm loan act was before this body and before the other body it was pretty thoroughly discussed, and, so far as my understanding was at that time, the law was passed for two purposes: First, to make it possible for the farmer to increase production. That would benefit everybody in the country. The other purpose was to make it possible for people with limited means to acquire small areas of land and to establish homes. I can see no possible purpose for which the Government could better afford to loan its credit. That is all this legislation

proposes to do. It is not proposed to appropriate money for the purpose of donating anything to anybody. We shall be simply underwriting certain securities, for every dollar of the loan will be paid back into the Treasury of the United States.

I shall support the amendment proposed by the Senator from Mississippi [Mr. HARRISON], because I do not believe that the fund should be less than \$100,000,000 for each of the years of 1921 and 1922. The Senator from Alabama [Mr. UNDERWOOD] has well illustrated how the proposed law would operate. If the Federal farm loan law had been permitted to function and the validity of the act had not been questioned there undoubtedly would have been sold several million dollars, perhaps, one or two hundred million dollars' worth of farm-loan bonds. Only the validity of certain features of the act were questioned. I do not wish it to be understood that the constitutionality of the entire act has been questioned.

It seems to me—and I am not saying this for the purpose of criticizing the court—that the case has been pending before the Supreme Court for a long time, probably for good reason, but the court has not yet been able to hand down its decision in the case. What has been the result? The Federal Farm Loan Board has been unable to function. I am not going to condemn the action of the board; perhaps it might have acted differently; perhaps it should have gone ahead and at least tried to dispose of the bonds, even at the higher rate of interest; but I believe it is our duty to-day to do what we can to relieve the situation.

So far as I am personally concerned, if the amendment of the Senator from Mississippi shall be adopted, while I am not opposed to the changes which are made in the amendment as proposed by the Senator from Connecticut [Mr. McLEAN], yet as a member of the Committee on Appropriations I shall be compelled to vote for the amendment proposed by the Senator from Virginia [Mr. GLASS], which is the committee amendment.

The PRESIDING OFFICER. The question is on the amendment proposed by the Senator from Mississippi [Mr. HARRISON] to the substitute proposed by the Senator from Connecticut [Mr. McLEAN] for the committee amendment.

Mr. HITCHCOCK. I ask that the proposed amendment to the amendment may be read.

The PRESIDING OFFICER. The amendment proposed by the Senator from Mississippi to the substitute proposed for the committee amendment will be read.

The ASSISTANT SECRETARY. In the substitute for the committee amendment proposed by the Senator from Connecticut [Mr. McLEAN] the Senator from Mississippi [Mr. HARRISON] proposes to strike out \$80,000,000 and make the sum \$100,000,000.

Mr. POMERENE. Will not the Secretary please read the amendment as it will read if amended.

The PRESIDING OFFICER. The Secretary will read as requested.

The ASSISTANT SECRETARY. So that, if amended, the proposed substitute would read:

There is hereby appropriated, out of any money in the Treasury not otherwise appropriated, the sum of \$100,000,000, to be immediately available for the creation of a fund to be known as the farm loan revolving fund. Such fund shall, upon recommendation of the Federal Farm Loan Board, be invested by the Secretary of the Treasury from time to time as in his judgment occasion may require in the purchase from any Federal land bank of Federal farm-loan bonds, which shall be purchased at a price not exceeding par and accrued interest, and shall be subject to repurchase by the bank selling same or any other Federal land bank at any time at par and accrued interest, and the proceeds thereof shall be returned to the farm loan revolving fund, subject only to retirement as hereinafter provided.

The fund hereby created shall be retired as follows: Eight million dollars on the 1st of January, 1922, and a like amount the 30th of June each year thereafter until the same is fully retired.

Mr. FLETCHER. The amendment should be amended so as to read "\$10,000,000" instead of "\$8,000,000."

The ASSISTANT SECRETARY. The amendment continues:

Such retirement shall be by order of the Secretary of the Treasury covering the amount to be retired into the general funds of the Treasury.

Mr. WARREN. Mr. President, I understand the amendment is in lieu of the four paragraphs which are inserted in the bill as a committee amendment?

The PRESIDING OFFICER. It is intended to be in lieu of the committee amendment.

Mr. WARREN. Will the Secretary again read the part of the amendment to the committee amendment applying to the years 1921 and 1922?

The PRESIDING OFFICER. The Secretary will read as requested.

The Assistant Secretary read as follows:

Such fund shall, upon recommendation of the Federal Farm Loan Board, be invested by the Secretary of the Treasury from time to time as in his judgment occasion may require in the purchase from any Federal land bank of Federal farm-loan bonds, which shall be purchased at a price not exceeding par and accrued interest, and shall be

subject to repurchase by the bank selling same or any other Federal land bank at any time at par and accrued interest, and the proceeds thereof shall be returned to the farm loan revolving fund, subject only to retirement as hereinafter provided.

The fund hereby created shall be retired as follows:

Mr. WARREN. That is as far as I care to have the proposed amendment read.

The PRESIDING OFFICER. The question is on the amendment of the Senator from Mississippi to the amendment of the Senator from Connecticut.

The amendment to the amendment was agreed to.

The PRESIDING OFFICER. The question now recurs upon the amendment of the Senator from Connecticut [Mr. McLEAN], as amended, to the committee amendment.

Mr. HARRISON. Since the amount of the appropriation has been increased the installment payments should be enlarged to \$10,000,000, instead of \$8,000,000.

The PRESIDING OFFICER. Without objection, that modification will be made.

The ASSISTANT SECRETARY. It is proposed to modify the amendment so as to read:

The fund hereby created shall be retired as follows: Ten million dollars on the 1st of January, 1922, and a like amount on the 1st of January, each year thereafter until the same is fully retired.

The PRESIDING OFFICER. The question is upon agreeing to the amendment of the Senator from Connecticut, as amended.

The amendment as amended was rejected.

The PRESIDING OFFICER. The question now is upon the committee amendment.

Mr. SMOOT. Mr. President, in lines 2 and 3, page 46, I move to strike out "from time to time during the fiscal years ending June 30, 1921 and 1922, respectively," and insert "from the date of the passage of this act and until the end of the fiscal year ending June 30, 1922;" so that it will read:

The Secretary of the Treasury is hereby authorized from the date of the passage of this act and until the end of the fiscal year ending June 30, 1922, to purchase at par and accrued interest, with any funds in the Treasury not otherwise appropriated, from any Federal land bank, farm-loan bonds issued by such bank—

And so forth.

In other words, my amendment to the committee amendment is intended to make the appropriation an even \$100,000,000 instead of \$200,000,000, as the amendment provides.

The PRESIDING OFFICER. The Secretary will state the amendment.

The ASSISTANT SECRETARY. On page 46, in the proposed amendment, on lines 2 and 3, it is proposed to strike out the words "from time to time during the fiscal years ending June 30, 1921 and 1922, respectively," and in lieu thereof to insert:

The date of the passage of this act and until the end of the fiscal year ending June 30, 1922.

Mr. SMITH of South Carolina. Mr. President, that simply means that if this sale of bonds is to run for two years it would be only \$50,000,000 for each year instead of \$100,000,000 for each year.

Mr. SMOOT. No; it means that there are \$100,000,000 authorized here, and that purchases can be made at any time from the passage of the act until June 30, 1922.

Mr. SMITH of South Carolina. Yes; but this provides that in the year 1921 there is \$100,000,000 authorized, and in the year 1922 there is \$100,000,000 authorized.

Mr. SMOOT. Certainly.

Mr. SMITH of South Carolina. And under the Senator's amendment it would be only \$100,000,000 for the two years.

Mr. SMOOT. It would be \$100,000,000 from the time of the passage of the act up to June 30, 1922.

Mr. SMITH of South Carolina. Precisely. That amounts to exactly what I said. It is \$100,000,000 in place of \$200,000,000 in the period of two years.

Mr. SMOOT. Yes; that is just what I said.

Mr. GLASS. Mr. President, the objection I would point out to the amendment proposed by the Senator from Utah is that in the event all of our expectations should be disappointed, and the Supreme Court should fall for another 14 months to render any decision in this case, we might have the same difficulty at the end of one year or at the end of 14 months that we have now. Should the Supreme Court render its decision, and should the decision itself invalidate the tax-exemption feature of the farm-loan land bank act, then Congress would be compelled, if it desired to continue this farm-loan land bank system, to enact some sort of legislation, if it could under the Constitution, to meet the objection of the Supreme Court, all of which would take time; and therefore we might encounter the very same embarrassment that we have now, and might have again to suspend the activities of the farm-loan system.

I am frank to say that it is my belief that the Supreme Court will not invalidate the tax-exemption feature as to the farm-

loan land banks. I think it may, and I hope it will, invalidate the tax-exemption feature as to the joint-stock land banks; and should that prove to be the case we will not need more than \$100,000,000. If the decision is promptly rendered, we may not need the \$100,000,000; but I do not think the amendment suggested by the Senator from Utah, if I may say so, is an improvement of the committee amendment.

Mr. SMOOT. Mr. President, my object is this: If the decision of the Supreme Court upholds the contention of those who are fighting the law, and holds that the tax-exemption feature of the Federal farm loan bonds is unconstitutional, all that Congress has to do if it wants to advance \$200,000,000 is to pass just such a law as we are passing now. I do not see why we have to provide clear to June 30, 1922. Congress will be in session continuously, and I have not the least doubt that if the Supreme Court of the United States decides adversely to the Federal farm loan act Congress will at once pass legislation correcting it.

Mr. GLASS. Why should it be put to the trouble of doing that? If the \$200,000,000 are not required, they will not be expended—or rather, the \$200,000,000 of credits, as the Senator from North Dakota described it. The money will not be used if it is not required. If it is required it should be used, and the farm loan banking system should not be practically wrecked again, as has been the case for the last 14 months.

Mr. SMOOT. It is not going to be wrecked. If \$100,000,000 is given to them for loaning between the passage of this act and June 30, 1922, they will not be compelled to loan up to June 30, 1921, \$100,000,000 and then another \$100,000,000 for the next succeeding year. If we advance \$100,000,000 and make it immediately available, there is not any question but that the Congress here in session, if the Treasury of the United States is in any condition to do it, can advance another \$100,000,000; and why should we not wait, and see what the situation is after the advancing of \$100,000,000? I do not know anything about what kind of a season the farmer will have this coming year. He may not need it, and there may be other demands made upon us that will be even more strenuous than the demand for \$100,000,000 additional for this purpose.

Mr. GLASS. If the farmer does not need it, he will not apply for it. If he does not apply for it, it will not be loaned.

Mr. SMOOT. The question of applying and the question of what is really needed are two entirely different propositions.

Mr. HITCHCOCK. Mr. President, the Senator from Utah assumes that the Secretary of the Treasury, without any regard to the condition of the Treasury and without any regard to the needs of the farmer, is going to use all of the money that is permitted under this bill. It seems to me that there is not any reason to assume such a thing. The Secretary of the Treasury is in better position than the Senator from Utah or any of us to judge what will be possible; and as this is merely authorizing the Secretary of the Treasury to do it, I can not see any reason why it should not be made \$200,000,000, or even more.

Mr. SMOOT. Make it a billion.

Mr. HITCHCOCK. I do not think there would be anything unreasonable in making it even more, as it is mere authority to the Secretary of the Treasury.

Mr. SMOOT. Make it two billion.

Mr. HITCHCOCK. The Senator from Utah says that there will be time; that there is no need of providing up to the end of the next fiscal year. There is no need of providing appropriations up to the end of the next fiscal year; but appropriation bills do cover from the end of this fiscal year until the end of the next fiscal year, and it is not always an easy matter to get the attention of Congress except when the appropriation bills are here.

Mr. SMOOT. Yes; I will say to the Senator that in the case of anything like this, where there is an emergency, Congress has never failed to act.

Mr. HITCHCOCK. I believe sincerely that this may not be needed. I have a strong hope that when the case emerges from the Supreme Court we will find that Congress was justified in making the bonds of the Federal land banks not subject to taxation; but the matter may be held in the Supreme Court for some time, and there is the possibility that the decision may be against the act, and Congress must meet that situation when it arises, and it might as well provide for it at the present time. Congress has gone on record as in favor of supplying this credit to the agricultural regions, and if the existing system is paralyzed we are breaking faith with the interests of the country for whose benefit it was provided, and if the act is finally destroyed by a decision of the Supreme Court Congress will be under an irresistible compulsion to provide a substitute for it, and that substitute probably will amount to the Government of

the United States affording all of the capital, instead of merely backing the credit of these banks.

I think we might as well provide in this bill as is already provided, for the full \$200,000,000 to be used between now and the next fiscal year, if necessary. If not necessary, they will not be used, and the bonds will find a natural market among the investing people of the United States.

Mr. SMOOT. I do not see why the Senator expresses any hope or faith or confidence that if we appropriate money it is not going to be expended or loaned in this case. It will be something unheard of in the history of the Government.

In all of our talk this morning the question has been in regard to the amount of \$100,000,000. Nobody mentioned \$200,000,000 until after the vote was taken on the substitute. I had no idea that the Senate was going to authorize \$200,000,000; and the authorization means, of course, that it will be used.

Mr. HITCHCOCK. It does not mean \$200,000,000 immediately, but it means \$200,000,000 between now and the next fiscal year.

Mr. SMOOT. Certainly; we know that.

Mr. HITCHCOCK. As a possibility; not as a surety.

Mr. SMOOT. We could appropriate long before the next fiscal year if we wanted to have another \$100,000,000, and we will know more about it at the end of the fiscal year.

Mr. HITCHCOCK. That argument, as I say, would apply to all appropriation bills.

Mr. SMOOT. Oh, no; it would not, because the appropriations can not be passed in a day or a week.

Mr. SWANSON. Mr. President, the Senator must remember that the fiscal year 1923 commences on the 1st of July, 1922, and after that date you would not have any money.

Mr. SMOOT. I am glad the Senator called my attention to that.

The PRESIDING OFFICER (Mr. POMERENE in the chair). The question is on the amendment proposed by the Senator from Utah [Mr. Smoot] to the amendment of the committee.

The amendment to the amendment was rejected.

The VICE PRESIDENT. The question now is on the amendment of the committee.

The amendment of the committee was agreed to.

Mr. STERLING. Mr. President, I send to the desk a notice, which I ask to have read.

The VICE PRESIDENT. The notice will be read.

The Assistant Secretary read as follows:

Mr. STERLING. I give notice that under Rule XL, I will move to suspend paragraph 3 of Rule XVI in order that I may propose to the bill (H. R. 15543) making appropriations for the legislative, executive, and judicial departments of the Government for the fiscal year ending June 30, 1922, the following amendment:

That the Secretary of the Treasury, in his discretion, may use not to exceed in the aggregate \$100,000,000 of the net earnings which shall be derived by the United States from the Federal reserve banks during the years 1921 and 1922, being the earnings accrued and accruing during the years 1920 and 1921, as hereinafter provided.

Immediately upon the receipt by the Treasury in 1921 of such net earnings for the year 1920, and the receipt in 1922 of such net earnings for the year 1921, the Secretary of the Treasury shall advise the Federal Farm Loan Board of the amount available for the purposes hereinafter designated, and the Federal Farm Loan Board shall thereupon immediately allot the same to the several Federal land bank districts in proportion to the needs of such districts for the purposes prescribed.

The sums so allotted to the several Federal land bank districts shall, upon the request of the Federal land bank of any district, approved by the Federal Farm Loan Board, be placed with such Federal land bank as financial agent of the Government of the United States to be used for the purpose of purchasing paper based on staple agricultural products or live stock.

Any Federal land bank as such financial agent may purchase, in the name of the Government of the United States, with the funds so deposited from banks within its district, whether members of the Federal Reserve System or not, paper based on staple agricultural products in the hands of the producer or on live stock according to regulations to be prescribed by the Federal Farm Loan Board.

No loan purchased under this act and based on agricultural products shall be for a period longer than nine months, and no loan based on live stock shall be for a period longer than two years.

No Federal land bank shall purchase from any bank, under the provisions of this act, paper in an amount greater than three times the capital and surplus of the selling bank, nor shall any paper be purchased from any bank located in a reserve city: *Provided*, That the loans to any one individual, firm, or corporation which may be purchased by any Federal land bank under the provisions of this act shall not exceed in the aggregate the sum of \$10,000.

All loans purchased under the provisions of this act shall be indorsed and guaranteed unconditionally by the bank selling the same to the Federal land bank.

Loans purchased under the provisions of this act shall bear interest at the rate of 6 per cent per annum payable in advance, if the loan be for a period of six months or less; if for a longer period than six months, payable semiannually in advance, but any borrower, under the provisions of this act, may be charged for the expenses incident to his loan a sum to be approved by the Federal Farm Loan Board, not exceeding an amount equal to 1 per cent per annum for the period of the loan, of which one-half of 1 per cent may be retained by the indorsing bank and one-half of 1 per cent by the Federal land bank making the loan.

No loan shall be purchased by any Federal land bank, under the provisions of this act, which exceeds 65 per cent of the cash value of the staple agricultural products or live stock by which such loan is secured.

Any paper purchased by any Federal land bank as herein authorized may be by such bank renewed or extended wholly or in part and the proceeds of any paper collected may be by the proper Federal land bank reinvested as herein authorized: *Provided*, That no paper shall be so renewed, nor shall any loan be so made as to create a maturity later than January 1, 1924.

The several Federal land banks shall so administer the trust as financial agents of the Government as to complete their transactions hereunder as near as may be by January 1, 1924, and shall forthwith thereafter account for and pay over to the Treasury all moneys collected, both principal and interest.

Such money when paid into the Treasury shall be subject to the uses prescribed by the second paragraph of section 7 of the act approved December 23, 1913, known as the Federal reserve act, for the net earnings derived by the United States from Federal reserve banks.

The VICE PRESIDENT. The notice will be entered.

Mr. CALDER. Mr. President, I give notice that after the committee amendments have been disposed of I shall offer an amendment, on page 46, at the end of line 21. I send the amendment to the desk and ask that it be read and laid on the table until the proper time to consider it.

The VICE PRESIDENT. The Secretary will read the amendment of which notice is given.

The ASSISTANT SECRETARY. The Senator from New York offers the following, to be inserted at the end of the committee amendment just agreed to, on page 46, line 21:

That paragraph (b) of section 213 of the revenue act of 1918 is hereby amended by adding thereto a new subdivision to read as follows: "(9) The amount received by an individual as interest on an aggregate principal not to exceed \$40,000 of loans secured, under a mortgage or otherwise, solely by real estate, including farms, and upon bonds or other certificates of indebtedness of equal amount secured by or issued against such mortgage or mortgages."

NAVAL BUILDING PROGRAM.

Mr. BORAH. Mr. President, I will say to the chairman of the Committee on Appropriations, in charge of the legislative appropriation bill, that while I shall not discuss the matter which is immediately before the Senate, I think what I have to say is of sufficient importance to ask some time to present it at this time. I will be as brief as I may, in view of the importance of the subject.

A few days ago I offered a resolution, which was sent to the Committee on Naval Affairs, asking the view of that committee as to the practicability, and also the wisdom, of suspending our naval building program during the period of six months. The committee has now reported and the report is upon the desks of Senators.

I feel that this matter has another side to it than that which was presented by the committee, and that it is worthy of our consideration. It is a subject which we must deal with in a few days, when another appropriation bill comes before the Senate.

The question involved, Mr. President, in the resolution which I offered, had to do solely with the question of what constitutes a modern navy, an efficient navy. It did not relate to the question of disarmament, as covered by a previous resolution, but was confined solely to the other question, whether we are building a navy which, when completed, will in any sense be a modern fighting navy.

It is conceded that we are building the most expensive kind of a navy which we could possibly build. The question is, Is this expensive navy also an efficient navy? Unless ultimately we can arrange, through agreement, to curtail the expenses of naval armaments we shall want a thoroughly modern navy. If it should transpire that the most expensive navy is also the most inefficient navy, it would constitute a double crime upon the part of Congress to proceed with the program.

It would not only be an offense against the taxpayers of the country, but it would be a crime against the people of the country in purporting to give them security which it does not give. I am urging this suspension, therefore, both in the interest of economy and efficiency, both for the protection of the taxpayer and the protection of the country.

In other words, if we expend our means and do not receive our security, we have not only offended in the question of economy but we have offended against the even greater proposition of security. The resolution which I offered, and which went to the committee, was designed to draw from the committee a report based upon an investigation, which it was presumed would be somewhat complete, as to whether the Navy which we are now building is the kind of a navy which the best minds, the best thought, and the best judgment of the world now regard as an efficient navy.

I am frank to say, Mr. President, that I do not think we have given sufficient consideration to this question. In saying that I am not criticizing those who have studied it in the Navy

Department, but as a general proposition it has not been a subject sufficiently considered by the people of this country.

During the Great War Germany had enlisted in her submarine service altogether 10,000 men. Those 10,000 men, through the submarine warfare, in spite of the grand fleet, supported by the Navy of the United States and the navies of France and Italy, came very near winning the war and brought Great Britain to the verge of starvation.

Those figures, with the facts which are within the knowledge of all as to what they effectuated in the war, must impress upon everyone that there is a phase of modern naval warfare which needs to be considered in the matter of constructing a modern navy. In spite of the fact that the great navies of the world were in the service of the Allies, we must accept the proposition from the men who are in the naval service themselves that at one time these 10,000 men had brought the war near to a successful conclusion upon the part of Germany.

Mr. THOMAS. The Senator, of course, will not overlook the fact that the submarine menace was not overcome by battleships or by the battle fleet, but by new methods of counterattack advanced, which alone prevented the ultimate success of the German submarine campaign.

Mr. BORAH. The Senator is correct in his position.

Mr. FRANCE. I hope the Senator will not overlook the fact that but for the British fleet the German men-of-war could have bombarded English cities.

Mr. BORAH. I will not overlook any facts I can think of. However, I will cite the Senator from Maryland to some of the experts of the British Navy who take an entirely different view from that suggested by the Senator.

I want to say in the beginning, Mr. President, that as a layman, of course, I do not offer an opinion before this body as to what constitutes a modern navy. My only desire is to bring before the Senate, and to bring before the public, the views of those who entertain a different idea from that which prevails in our Committee on Naval Affairs. I do not assume to say that the different view is the correct view. Perhaps I ought to say, however, that I have an impression about it; but I am not here to offer an expert opinion, because I am not an expert upon the subject. I do want to call attention to a vast amount of information upon the subject from those who are qualified to speak, and who are justified in speaking, and who I believe speak in good faith.

England, Mr. President, appreciating the situation and knowing the effect of the submarine warfare, immediately upon the close of the war entered upon a thorough investigation of the entire question of what constitutes a modern navy, and to that end she suspended her building operations for the period of six months, and referred the entire question of what constitutes a modern navy to the committee upon imperial defense. Furthermore, she scrapped all her capital ships which were then in process of construction, and there has not been a capital ship laid down in England, or by England or France or Italy, since the close of the war. They were waiting on this investigation. What the investigation will finally determine is a thing which the future will disclose. What I desire was to have determined the question of whether it was practicable for us to suspend our building program for six months until we should have the benefit of the results of this investigation, and such investigation as we could and should make. It is a matter of the greatest moment and entitled to the most thorough investigation and the most impartial consideration.

We should be sure when we expend this vast amount of money which we are about to expend that it is so expended as to bring its return in security and in protection by a real, efficient, and modern navy. And, moreover, we should not put one dollar on the taxpayer which can be avoided.

When this suspension took place in Great Britain there immediately began a discussion between different members of the navy and upon the part of men who were not members of the navy, and that discussion has been going on now for several months. As a basis for my justification in taking the time of the Senate I wish to refer briefly to some of the discussion, principally for the purpose of getting it into the Record, that it may go along with the report of our Committee on Naval Affairs.

This is an article by Rear Admiral S. S. Hall, of the British Navy. He said:

Lord Jellicoe has told us that by reason of the submarine campaign in the last war we were "closer to ruin than we have been for 200 years." But even he has not told us how close we were.

Confidence in the capital ship, however, was badly shaken; how could it be otherwise when our grand fleet, supported by all the fleets of our allies, was impotent to help us whilst we hovered on the brink of disaster? Who can wonder if the public are bewildered at the thought of rebuilding such an armada when the cost of each unit has risen to at least eight millions?

Mr. THOMAS. Eight million pounds?

Mr. BORAH. Yes; 8,000,000 pounds, not dollars.

Indeed it is very much more, for they require a host of craft to assist and protect them.

They want to know more exactly what these leviathans are to be built for. To be told that they will win a naval battle, if they get one, is not sufficient, for we have just spent four years waiting for such a battle, and in the end won the war without it. It is time to make an examination of our naval experience in the last war, with particular reference to the future of the capital ship, and to show that in the full light of that experience a complete change is demanded in the composition of our fleet. I am sensible—

Said Admiral Hall—

of being about to tread on holy ground, for the sanctity of the quarter-deck is ingrained in all who have spent their life on it.

Further on he said:

The main purpose of our fleet was clearly defined in an Admiralty memorandum of 1910:

"The real serious danger that this country has to guard against in war is not invasion, but interruption of trade and destruction of our mercantile marine. * * *

Which the grand fleet was wholly unable to do during the war.

The strength of our fleet is determined by what is necessary to protect our trade.

So ran this memorandum to the war office on the subject of invasion. It proceeded to point out the extreme difficulty of invasion at that time and concluded with the decision "that an invasion even on the moderate scale of 70,000 men is practically impossible." To carry out this main naval purpose, the strength of our fleet before the war was based upon what was known as the two-power standard, which meant that we were to be able to compete successfully with any two foreign navies. Then came the war, and we were fortunate enough to find ourselves not with a two-power standard, but with France and Russia immediately on our side, quickly followed by Japan and Italy and lastly by America. And yet we nearly suffered defeat from the attack on our trade.

It should be noted in passing that when we read that the grand fleet mastered the submarine menace, and the submarine did not materially affect the value of the capital ship, etc., statements are not founded upon fact. With the provision of about 100 destroyers and a great many other craft, the capital ships were certainly safer, but it should be remembered that they were not often at sea, and their defenses were never tested. The grand fleet was practically ignored altogether. In fact German submarines had very stringent orders not to attack men-of-war. On no occasion was the grand fleet subjected to a serious attack by submarines; the latter's sole objective was our mercantile marine.

It is my firm belief, and that of many others, that had Germany employed her submarine torpedo vessels against our surface war fleet and equipped a proper submarine cruiser fleet for a war on commerce, she would have won the war.

Mr. POINDEXTER. May I ask the Senator what that last authority was to which he referred?

Mr. BORAH. I was reading from Admiral Hall of the British Navy.

Mr. McCORMICK. Mr. President, may I ask the Senator a question?

Mr. BORAH. Certainly.

Mr. McCORMICK. What was Admiral Hall's command during the war?

Mr. BORAH. I do not know. It can easily be ascertained.

Mr. McCORMICK. Did he have a command?

Mr. BORAH. I do not know. Does the Senator know?

Mr. McCORMICK. No. I asked for information.

Mr. BORAH. I do not know what his command was. I am sure I can ascertain that. He was stating facts which I do not think can be disputed. We all know how we walked the floor for months and months and wondered what the grand fleet was doing. The German grand fleet would not come out to fight, and the English grand fleet would not go in after them and in the meantime England was being brought to the verge of disaster by 10,000 men in charge of submarines.

Mr. McCORMICK. I venture to answer that he expressed an opinion when he said that, in his judgment, if the Germans had organized a submarine fleet against the capital ships they would have won the war. That was not a statement of fact; it was a statement of opinion.

Mr. BORAH. It was a statement of opinion based on facts.

Mr. THOMAS. Mr. President—

Mr. BORAH. I yield to the Senator from Colorado.

Mr. THOMAS. Is the Senator familiar with the contributions on the war of Admiral Sims to the World's Work?

Mr. BORAH. Yes; I have read them.

Mr. THOMAS. The Senator will recall, perhaps, that he stated, and I think on more than one occasion in his contributions to the World's Work, that shortly after he himself went to England, having been sent there by the United States Government, he discovered the submarine menace to be quite as great, and the probability of its success quite as great, as has been outlined by Admiral Hall, and as was largely foreshadowed, although Admiral Sims does not say that, by the opinion of Sir Percy Scott, who is certainly an authority in admiralty circles in Great Britain.

Mr. BORAH. Yes. Sir Percy Scott has seen service and is an authority upon the subject, but I read from Sir Percy Scott pretty fully the other day. So I am not taking the time of the Senate to reread it, except one or two brief paragraphs.

Mr. GERRY. Mr. President, will the Senator yield?

Mr. BORAH. I am happy to yield.

Mr. GERRY. Did I understand the Senator to say that the British Admiralty had not determined whether the capital ship was a necessity for naval warfare?

Mr. BORAH. As I recall, the navy itself, through its administrative officers, determined in favor of the capital ship, but the Government of Great Britain and the people of Great Britain were not willing to accept that conclusion, and therefore it was finally referred to the committee upon imperial defense, where it is to be thoroughly investigated, not by the navy alone, but by all who may have opinions with regard to it.

Mr. GERRY. I will say to the Senator that I called attention in some remarks I made last Wednesday to a statement of the first lord of the British Admiralty in explanation of the naval estimate for 1920 and 1921. In his opinion the capital ship remains the unit upon which sea power is built and that the late war has not shown that it is antiquated. Further than that, I quoted a statement from Admiral Von Scheer, right after the Battle of Jutland—

Mr. BORAH. Which statement of Von Scheer has been greatly modified since.

Mr. GERRY. Since Germany has no battleships and when it would undoubtedly be to her disadvantage for other nations to have them.

Mr. BORAH. I do not recall that Germany has any submarines either.

Mr. GERRY. It would be very much easier for Germany to build submarines than it would for her to build battleships.

Mr. BORAH. Not a particle easier under present conditions, because she can not spend \$40,000,000 any more than she can spend \$1,000,000. She has not either one and has not the authority to spend either. Does the Senator think Von Scheer has joined the propaganda to mislead us?

I read now from another article of Admiral Hall the following paragraph:

Repeating that our main naval purpose is to protect our trade, let us now examine the fitness of our present fleet to fulfill its object.

Is it supposed that our future enemy, whoever it may be, will be more obliging than our last, and that he will immediately come out to meet us in inferior strength? Why should he? If he does not, I would ask any reader to select any enemy he chooses and, if he ever visited Scapa during the war, to tell us how he proposes to keep open the lines of communication of such an armada as he saw there in the face of the opposition to be expected. I contend it would take another armada to do it, if it could be done at all.

To go further, will an advocate of the capital ship tell us what he will do with these vessels after he gets them abroad, even if he is granted a battle and wins it, observing that the main accomplishment of the purpose of our fleet—the protection of trade—has not even been commenced by anything he has done? The conclusion I reach is that in any naval war that can reasonably be forecast, capital ships can do nothing to assist in the protection of trade, either directly or indirectly. It is even worse, for by retaining whole flotillas of light cruisers and destroyers they actually retard any other measures that may be undertaken. They are also locking up large numbers of valuable officers and men, and in peace are liable to absorb the greatest part of the navy estimates.

That latter opinion, I think, we will all agree with—that capital ships will absorb the greatest proportion of the naval estimates. It costs \$40,000,000 now to build a capital ship, and that is more than we are appropriating for the entire subject of agriculture. It costs \$40,000,000 to build 1, and we are building 16. Then the program will be to spend millions more to build the fighting machines which we will have to have in order to protect our capital ships.

Mr. GERRY. Will the Senator yield again?

Mr. BORAH. Certainly.

Mr. GERRY. I think it is very clear that the reason why the British Navy are not building capital ships is on account of the expense and not because they believe they have outlived their usefulness.

Mr. BORAH. I have heard that stated before, and it may be that the Senator is correct. I do not know. I only know it is not the reason assigned. England is perfectly able to build and unless an agreement is reached England will build an adequate navy. Let no one be misled into the belief that England can not protect England. If we are entertaining such fatuous ideas, we are doomed to a sad awakening, an expensive awakening.

Mr. SMITH of Arizona. If the Senator will permit, for my own information I desire to ask him a question. Because of Great Britain's peculiar position and her small territory, so far as the British Isles are concerned, of necessity she must live on her commerce.

Mr. BORAH. Yes.

Mr. SMITH of Arizona. As to the protection the battleship affords to commerce, I have no doubt the correct view has been expressed; but as to a great self-supporting country which in the exigencies of a tremendous war can live on herself, I desire to ask whether or not the argument would apply as it does in the case of England, which must live on her trade?

Mr. BORAH. I will come to that in a few moments in connection with the views of another admiral. I now read, Mr. President, from Admiral Henderson, of the British Navy. He says:

The principles hitherto governing the use of the now-called capital ship no longer apply; they reached their maximum in the middle of the last century, when she had freedom of movement limited only by the weather, and a large radius of action limited only by her three-months' supply of fresh water. When all her displacement except the weight of hull, stores, crew, etc., and the comparatively small proportion required for sail propulsion, was devoted to great offensive power in a large armament. Since then, owing to the introduction of steam and armor and the gradual development of her antagonists, the torpedo, the submarine, the mine, the bomb, and the aerial torpedo—the powers of which will in the future be greatly increased—she has lost her mobility, her freedom of movement, her radius of action, and her comparatively great offensive power. She is now no longer supreme on the water; if she goes to sea, her main object is to protect herself; she can not move without defensive auxiliaries of all kinds. Greater and greater proportions of her displacement are being taken up in self-protection and defensive devices, and though her speed, which is one of them, has been increased, her cost is prohibitive. Battle fleets of opposing powers are necessarily confined to their bases, watching one another. The weaker fleet will never come out to seek destruction, and the naval work of a war will be carried out by smaller craft of all descriptions—we have had recent examples of this. * * *

Judged by these considerations, the day of the capital ship as now conceived is over—

Mr. McCORMICK. Is the Senator from Idaho still reading from Admiral Hall?

Mr. BORAH. No; I am reading this extract from Admiral Henderson; and there are many more to hear from if time permits.

He proceeds:

And the cost of a new fleet with the necessary docks and facilities for maintaining it is beyond our present financial resources. To many it will appear inconceivable that temporarily we may become the third naval power, but the antidote to the capital ship will be so rapidly developed that the fact will be realized by others as well as ourselves, and it will not be wisdom to incur what will prove to be a useless expenditure.

Mr. BRANDEGEE. Mr. President—

Mr. BORAH. I yield to the Senator from Connecticut.

Mr. BRANDEGEE. The Senator from Idaho seems to be reading from interviews with certain authorities as set forth in different newspapers. Will the Senator, when he comes to revise his remarks for the Record, put the names of the newspapers and the date of each paper in the Record, so that Senators who are interested may read these comments in full? The Senator is only putting in extracts, as I understand.

Mr. BORAH. I shall be very glad to do as the Senator suggests, and hereafter, I think, I shall call attention to the names of the papers and their dates, so as to meet his suggestion.

Mr. POINDEXTER. Will the Senator from Idaho kindly state from what paper he has just read?

Mr. BORAH. The article is from Admiral Henderson. It is printed in the London Times. I again read from the London Times of December 14, 1920, page 13, another article, by Admiral Hall:

I am well aware that this most disturbing question, the only serious objection to abolishing capital ships, can only be thoroughly answered by giving in detail a concrete situation. One critic has said that the real answer to the scrapping of capital ships is to imagine ourselves with nothing but submarines at the beginning of the last war.

That, I presume, was what the Senator from Maryland had in mind.

I have already said that in the then existing state of torpedo craft of all kinds the capital ships were good value, but what of the future? Even supposing we must now prepare for another war with Germany, is it conceivable that Germany will in the course of her preparation neglect to provide herself with a properly designed submarine fleet, manned by officers who are fit and disciplined, and not sent to sea to get sober? What will all the capital ships in existence do against such a menace? My reply is, nothing. The only answer is in aircraft and submarines.

Another reason given for retention of capital ships is that German submarines never sank a modern one. The *Audacious* was sunk by one, but this is beside the point. The real reason is that they never tried. On some occasions enemy submarines on passage to the trade routes were reported to and, possibly, seen by our capital ships, but they were never seriously attacked by them. It was strictly contrary to their orders to attack men-of-war. Admiral Sturdee tells us that the Falkland Islands battle shows us we must have surface vessels to protect our trade routes. Will he tell us what he would have done if Von Spee had submerged? Here is a concrete case at last. Would not the Falklands be better provided with submarines and aircraft? They, at any rate, might catch the future Von Spee on the surface. They could have reached these islands just as quickly as our battle cruisers, and they would not have required refuel on arrival. Again, what could 100 *Sydney*s have done if the *Emden* had been able to submerge? This is the real issue.

Finally, I claim that a naval policy based upon aircraft and submarines affords us the only hope of protecting our trade—the main purpose of our fleet. That such policy will save us many millions on other estimates besides the naval ones, and will insure us a reasonable hope of command of the air in the next war, without which all effort will be futile.

Mr. HITCHCOCK. Mr. President—

Mr. BORAH. I yield to the Senator.

Mr. HITCHCOCK. I was stuck by the extract which the Senator read from the remarks of Admiral Henderson to the effect that the British would soon be third, or might soon be third, in the matter of capital ships. Does the admiral enlarge upon that statement?

Mr. BORAH. No; I read all that he said.

Mr. HITCHCOCK. The Senator from Idaho assumes that he meant by that that both the United States and Japan would have a superior number of ships?

Mr. BORAH. Yes; I assume that from what he said.

Mr. HITCHCOCK. Has the Senator considered at all the argument that might be presented to the United States if Japan should become superior to Great Britain in capital ships, with all her ships on the Pacific coast; as to what effect it might have upon the American policy?

Mr. BORAH. No; I was not discussing that feature of it. I had not reflected upon that feature of it particularly. Does the Senator mean what effect it would have upon the American policy as to the kind of navy she should have?

Mr. HITCHCOCK. Yes; the Senator is calling attention to the fact that Great Britain apparently has adopted the policy of discontinuing the construction of capital ships. On the other hand, there is Japan, which is doubtless alert and progressive in connection with naval matters, and she appears to have adopted exactly the opposite policy. According to Admiral Henderson, and in accordance with the other information that is available, Japan seems to be entering upon a policy of constructing a fleet of capital ships larger even than the fleet of Great Britain, or as large.

Mr. BORAH. No; Japan's naval building program is not nearly so large as that of the United States. Of course, I do not know how it will compare with the program of Great Britain until Great Britain formulates her program; but Japan is building submarines and perfecting her airplane service also. While we hear considerable about the capital ships she is building, I am reliably informed from sources in Japan, though not official, of course, that they are availing themselves of the experience of the war in building submarines and airplanes and are not relying on battleships.

Mr. HITCHCOCK. Undoubtedly; but apparently the statement of Admiral Henderson, if taken at its full value, indicates that Japan, as well as the United States, will in a short time have a navy, as far as capital ships are concerned, superior to that of Great Britain. If that is true, the Japanese Navy is going to be in the Pacific Ocean while the Navy of the United States will be divided between the Pacific and the Atlantic. I merely inquire of the Senator whether or not that gives him any food for thought? I can easily appreciate the importance of what he says—that Great Britain evidently has serious doubts as to the value of capital ships; but the Senator from Arizona [Mr. SMITH] stated the truth when he said that there is a vast difference between the situation of Great Britain and the situation of the United States. The British Isles are absolutely dependent upon commerce; if their commerce is obstructed, they not only are subject to enormous losses by destruction, but if their commerce is impaired or if transportation is interfered with, the people of Great Britain are brought face to face with starvation; and war upon their commerce is, therefore, almost necessarily fatal.

The United States, on the other hand, sits here on the Western Hemisphere between two great oceans; it is practically self-sustaining, and no blockade of her ports could cause serious consequences. In the case of Great Britain everything has got to come down into very small and pinched seas, where the submarine can move with tremendous effect; but in the case of the United States, with her thousands of miles of seashore, the submarine is much less effective as an opposing agent.

Mr. BORAH. I see now what the Senator has in mind, and I am going in a very few moments to read from the view of a member of the American Navy upon that very question as to the defensive effect of submarines so far as the United States is concerned.

Mr. GERRY. Mr. President, will the Senator yield?

Mr. BORAH. I yield.

Mr. GERRY. The Senator in reading from one of the articles he has quoted brought out the fact that no battleships had been attacked by submarines. In Von Scheer's private memo-

random to his own department he referred to an attempted attack on the *Marlborough* by a submarine. He states:

She was so well protected that it was impossible to get within firing distance of her. A torpedo was fired, but failed to reach its objective.

That was when the *Marlborough* was returning home, a crippled ship, after the Battle of Jutland, but even in that case it was impossible for a German submarine to sink her because of her screen of destroyers.

Mr. BORAH. That presents a difference of view which, I presume, would have to be finally adjusted in determining this question.

Mr. GERRY. I will say to the Senator that that is a question of fact.

Mr. BORAH. It may be a question of fact—I do not dispute that it may be such a question—but, upon the other hand, Admiral Hall stated a question of fact. Which one is correct I do not know.

Mr. GERRY. I am quoting an incident that took place after the Battle of Jutland.

Mr. BRANDEGEE. Mr. President—

Mr. BORAH. I yield to the Senator from Connecticut.

Mr. BRANDEGEE. Does the Senator from Idaho know that the Japanese Diet—if that is the name of their legislative body—decided to-day to go on with their naval program just as contemplated and estimated for?

Mr. BORAH. Does the Senator say they decided it to-day?

Mr. BRANDEGEE. Let me ask the Senator from Illinois [Mr. McCormick] whether I correctly understood him to say that the Japanese Diet had decided to-day to adhere to their naval program as previously contemplated by them? I understood him to say so, and I wondered whether I was correct.

Mr. MCCORMICK. Mr. President, I was planning to reply to the Senator from Idaho, however inadequately, when he had concluded, but since the Senator from Connecticut has asked about the action of the Japanese Diet, I can read the cable from Tokyo under the date of the 10th:

The House of Representatives to-day rejected, by a vote of 38 to 285, a resolution offered by Yukio Ozaki, former leader of the opposition party, proposing a curtailment of naval armaments. The entire Kokumin-to (nationalist) party and some independents favored the resolution, but the governmental Seiyu-kai and the Kensui-kai opposition party opposed it.

Mr. BORAH. I think that is a very splendid showing, considering that it comes from a militaristic Government. I have no doubt but that is what Japan proposes to do unless some agreement is reached; but I will say to the Senator from Connecticut that I am not discussing to-day the question of disarmament. I have not advocated that the United States shall disarm unless she can have an agreement with other naval powers to disarm. I am not proposing that the United States shall build an inefficient navy. What I am trying to get is the best minds of the country upon the question of what constitutes an efficient navy. If Japan is building and proposing to build, then, above all things, let us know how our money is being expended. Let us be sure we do not impoverish ourselves by building floating palaces which will serve us little in the hour of dire need.

Mr. MCCORMICK. Mr. President, although the best minds are now occupied in devising an association of nations, I would submit for their consideration the balance of the dispatch, that the Ozaki resolution requested Japan to communicate with the United States and Great Britain and decide on the best way to restrict naval programs in conjunction with those nations. It was that resolution which was voted down 285 to 38.

Mr. BORAH. All the more reason, if we have got to enter into a competitive building program with Japan, why we should know that we are not expending the money upon an obsolete navy. That is the whole question here. If I am in error as to my view upon the subject, undoubtedly we will proceed upon right lines and not upon erroneous lines; but I think it worth while to have before the Senate and the country the fact that men who were engaged in the war, who participated, like Admiral Scott, Lord Fisher, and men in our own Navy, have come to the conclusion that the capital ship is obsolete against the modern submarine and the airplane.

We also know that while Japan is building some capital ships, she is not building capital ships as we are, practically to the exclusion of everything else. I am aware that the building program includes some submarines, but by no means in proportion to the amount which we are expending upon capital ships. At the time we ordered these 16 capital ships built we did not have a single modern submarine in the Navy.

Mr. POMERENE. Mr. President—

Mr. BORAH. I yield.

Mr. POMERENE. Assuming that we are going on with the building program, what would the Senator suggest with reference to the proportions between capital ships and submarines?

Mr. BORAH. Since the Senator seeks my view, I will say this: I have not, as I said, been able to form much of an opinion of my own. But I have talked with a member of the American Navy, and it is his opinion there are six of these battleships that we could very well discontinue, and that it is his judgment the Navy would be much better off if we did discontinue them and take the \$300,000,000 which we are expending upon those six battleships and put it into submarines and airplanes. It is his opinion that if we should do that we would have a very much stronger navy with less money than we will have if we build the 16 battleships as now proposed.

Mr. MCCORMICK. Mr. President, may I interrupt the Senator at that point?

Mr. BORAH. Yes.

Mr. MCCORMICK. I take it that the Senator does not care to name the naval officer; but let me say to him that the admirals who appeared before the committee, including Admirals Sims and Fiske, gave it as their judgment that we should go on and complete the battleships of which the keels have been laid, including the *Massachusetts*, No. 54, of which only 5 per cent of the hull has been completed. We pressed them on that point because they advised us that the British Admiralty had ordered that those ships of which only 10 per cent of the keels had been completed should be abandoned.

Mr. POMERENE. Mr. President, will the Senator yield?

Mr. BORAH. Just a moment. I am perfectly aware that Admiral Sims and Admiral Fiske both stated that general conclusion, but no man can now take the testimony of Admiral Sims and Admiral Fiske before the House committee and not come to the conclusion that both of those men believed that in less than five years these capital ships will be absolutely obsolete.

I now yield to the Senator from Ohio.

Mr. POMERENE. Mr. President, if I may be permitted to ask the Senator from Illinois a question, the Senator has just told us what these admirals said with respect to capital ships. What, if anything, did they say with reference to submarines?

Mr. MCCORMICK. They urged the committee to go on with the completion of the ships for which provision was made.

Mr. POMERENE. The capital ships?

Mr. MCCORMICK. All the ships. They pointed out that during the war submarines and destroyers had been built in great numbers. They proposed that inasmuch as the lighter ships had been increased during the war that part of the program which provided for additional smaller ships should be abandoned and the sum expended in building two airplane carriers, and finally they insisted that we should go on with a program for the construction of battle cruisers, the keels of which have been laid but upon which very little work has been done.

Mr. POMERENE. Does the Senator mean, by "smaller ships," submarines?

Mr. MCCORMICK. I mean the smaller ships of all categories.

Mr. BORAH. I am familiar with their testimony in a way. I have not been able to get the details of it yet; but while they did advise going ahead, and while I am not now saying that we should not go ahead—I shall have something to say about that later, when the naval appropriation bill comes along—I do say that an analysis of their testimony will disclose that they expect at no very distant day to see the entire naval warfare, so far as it is effective, carried on in the air and under the sea.

Mr. MCCORMICK. Mr. President, I can not draw that conclusion from their testimony before the Senate committee.

Mr. BORAH. I should like to ask if the testimony before the Senate committee was taken down?

Mr. MCCORMICK. Indubitably.

Mr. BORAH. Is it printed? I have been unable to get it.

Mr. THOMAS. Mr. President, I applied yesterday for a copy of the testimony, and I was informed that three typewritten copies only had been made, and that it had not been printed and that, being taken in executive session, it probably would not be printed.

Mr. BORAH. The reason why I asked the question was because I asked for a copy of it and was told that there were no copies to be had.

Mr. GERRY. Mr. President, if the Senator will yield, I think the attitude of the naval officers is that the 1916 building program should be carried out, and that in addition to that, if possible, airplane carriers and submarines should be built.

The other day I introduced an amendment to the naval appropriation bill authorizing the construction of four airplane carriers, because I agree with the Senator from Idaho that that is a branch of the service that we ought to develop. I also agree with him that we should further develop our submarine program; but until the airplane experiments can be properly carried out and properly developed, I do not believe that it is safe

to rely on that weapon alone and do away with the capital ships that we now propose to build.

Mr. BORAH. Mr. President, the Senator from Idaho has never suggested doing away with capital ships. That is the subject for investigation. The Senator from Idaho is now reading from those who do believe that they ought to be abandoned. I have not suggested it; but what I do say, what I have believed, and what I now believe is that it is the part of wisdom for us to stop our building program until we can know what we are expending this money for, and whether we should put more money in capital ships or less, more money in submarines or less, and how we should round out and make a whole, modern, effective fighting navy; because, Mr. President, I am just as certain in my own mind as that I stand here that unless an agreement is reached between the United States and the other great naval powers who are in competition with us it will as inevitably lead to war as the night follows the day. We had just as well be frank. Nothing is gained by lip silence when open competitive arming is going on. It always has resulted in war and it always will.

Mr. THOMAS. Or to bankruptcy.

Mr. BORAH. I am just as certain as that time goes on that within my time, if I live to the time allotted to Moses, there will be a war between this country and certain other countries with which we are now in competitive building, if we go on. I desire, therefore, first to make every possible effort by agreement to reduce and cut out this competitive naval building program. If that can not be done, I desire to have a navy that is in every sense a modern navy and an efficient navy. I want to see the people of these respective countries aroused to the fact that ahead of them, as a result of this arming, are misery, war, and bankruptcy; that they may force their Governments into understanding which will cut out this competition.

I now quote briefly from an article by Admiral Percy Scott, in which he says:

We are on the eve of declaring a new naval program. Let us not forget that the submarine and aeroplane have revolutionized naval warfare; that battleships on the ocean are in great danger; that when not on the ocean they must be in a hermetically sealed harbor; that you can not hide a fleet from the eye of the aeroplane; that enemies' submarines will come to our coasts and destroy everything. During the war the submarine dominated everything and very nearly lost us the war. It was only the Germans' want of forethought that saved us. With 50 more submarines—how little it would have cost them—they would have now been rulers of the world and we should have been a German colony. Our battleships and the German battleships were locked up for most of the war. The German admiral, Von Scheer, only saw the smoke of Jellicoe's fleet once; that was enough for him; he ran away as quickly as he could without doing any appreciable harm to Lord Jellicoe's ships.

I quote again from Rear Admiral Hall, who, I find, since the question was asked me, was, from 1915 to 1918, commodore in charge of the British submarine service. He says:

We had a grand fleet with a preponderance of force of nearly two to one over Germany alone and an auxiliary navy of about 5,000 vessels. We had the assistance of the American, French, Italian, and Japanese navies. We held the most favorable geographical position for a naval war that the atlas can furnish. And yet our main naval purpose, the protection of our trade, could not be carried out. These are the plain, sad facts of our naval experience in the last war. The late Lord Fisher had an uncanny habit of being always right in big things, and the writer holds that he was so in this, and the only remedy is in his words, "Scrap the lot and transfer the navy to the air."

I quote from another officer of the British Navy, whose name I am unable to give. But the article shows that he is an officer in the British Navy. He says:

In January, 1915, the British battle-cruiser force was in pursuit of an enemy battle-cruiser force. Every yard by which they could decrease the distance between the enemy and themselves was of vital importance, but they were forced by submarine menace to turn away, and so lose any real chance of accomplishing the destruction of the enemy. * * * At Jutland the commander in chief, grand fleet, with considerable superiority in strength and tactical position, was forced to turn away by threat of attack by torpedo, and so lost touch with his enemy, which he did not afterwards regain. Thus for the second time attack by the capital ships by the superior force was foiled by torpedo attack by the weaker force; one British battleship was hit with torpedo on this occasion. Again on August 19, 1916, commander in chief, grand fleet, with superior forces, was for the second time in contact with the enemy and made the well-remembered signal, "I expect to be in action in a few moments and have every confidence as to the result." Immediately afterwards he was attacked by torpedo; two light cruisers were sunk; no battleships came into action, and within half an hour of the signal being made the battle fleet was steering for its base. On each of these three occasions the torpedo proved a sure parry for the gun attack of the capital ships.

And, finally, I want to quote what I understand to have been one of the last statements of Lord Fisher upon this important subject. Certainly no one will question Lord Fisher's right and ability to speak upon the matter. The statement was made on the 12th day of September, 1919, and published throughout the English press and in America:

Air fighting dominates the future war both by land and sea. It is not my business to discuss the land, but by sea the only way to avoid the air is to get under the water. That is why I keep emphasizing that the whole navy, as we have it now, has to be scrapped.

I do want to accentuate the fact that Lord Fisher, who was an acknowledged authority on naval affairs, declared publicly before his death that the thing to do was to scrap the capital ship and build submarines and airships. It can not be possible that the judgment of these men should be wholly ignored. In view of the fact that we now have \$24,000,000,000 of indebtedness, with \$4,000,000,000 annual expenses and \$2,000,000,000 of deficit, it is not an unwise thing to know that every single dollar that you take out of the Treasury counts, and that it should not be taken out of the Treasury unless it is absolutely necessary for our safety and our protection. What I complain of is that there has never been, from the close of the war until this hour, any real investigation at all of this question.

Now, a word or two from closer home. I had expected to say something upon the testimony of Admiral Sims and Admiral Fiske, but I am going to wait until I can get the testimony in detail; and I should like very much to have the testimony taken before the Naval Affairs Committee of the Senate, because it must be very conclusive.

Mr. POINDEXTER. I would say to the Senator from Idaho that I think that testimony is available. Some of it, however, is regarded as of a very confidential nature, at least by the department or by the committee, and for that reason it was considered inadvisable to print it. But it is available to the Senator. I only know of one or two copies, but I can assist the Senator in getting access to it.

Mr. BORAH. I thank the Senator. Mr. President, I am going to quote now from statements of officers of the American Navy. I am not going to give their names at this time, but I will say that if the Committee on Naval Affairs will call them they can have the names any time they want them.

The first gentleman I desire to quote says:

If we stop work on six dreadnaughts and six battle cruisers—and there is no question as to the wisdom of doing so—we may save \$300,000,000 outright, or we will save at least half that sum in being able to convert these ships into other types that we will need. * * * We could, in my opinion, safely stop all building for six months or a year until we find out "where we are at."

He further says:

I will stake my life that in one year from now it will be admitted that a surface navy alone can go nowhere but down; if it should by any chance get anywhere it can do nothing but sink.

Mr. STERLING. May I ask the Senator from Idaho from whom he reads now?

Mr. BORAH. I said I was reading the statement of an admiral retired in the Navy. I also said that his name was at the service of the Naval Affairs Committee if they desired to call him.

Mr. POINDEXTER. Is he on the active list?

Mr. BORAH. No; I do not think so. I think he is retired. This same authority said:

The United States can never be successfully attacked in the future by any power or any combination of powers from overseas. The danger from invasion is no more. This is not an extreme statement. We may dismiss this thought from our minds, provided we maintain and properly utilize submarines, mines, and torpedoes. These defensive elements—all of them comparatively cheap—give us great—if not complete—immunity from successful attack by a foreign power. * * *

We are absolutely safe from aggression. We can not be invaded. * * * It remains, therefore, to decide whether or not we ourselves are to be aggressive hereafter, and to what extent we consider it incumbent upon us to be aggressive for the protection of our commerce and to secure forceful influence in foreign affairs. Manifestly we can, if we choose, be very economical, reduce taxation, and greatly curtail appropriation for offensive warfare. It is a question for the people to decide.

Mr. President, I ask leave to insert entire certain printed matter. I desire to say that I am informed these articles were written by one who has seen long service in the Navy and who has been an earnest student of these questions.

The matter referred to is as follows:

FUTURE NAVAL WARFARE.

[By Quarterdeck.]

The nation that first solves the problem of future naval warfare will not only save billions of dollars but will most surely safeguard itself. We should act at once.

Thinking men in all navies are alive to the fact that a revolution, more or less complete, in naval architecture is sure to come in the not very distant future.

CHANGES IN SHIP DESIGN.

There are three principal elements conspiring directly to force a change in the design of fighting ships:

1. Aviation—land and sea planes.
2. The development of the submarine and submarine mines.
3. The perfection of the torpedo plane.

It is not sensationalism, it is in line with plain common sense, to predict that these three factors, previously somewhat undeveloped but now being perfected in their offensive deadliness, are sounding the ultimate doom of the \$40,000,000 superdreadnaught. We may soon be forced, for economical as well as military reasons, to resort to smaller and cheaper battleships, turtleback ships, or submersibles—ships that will be less vulnerable to attack by immense charges of high explosives discharged from the air above and from the sea below.

In making these predictions we must avoid extreme statements and rabid recommendations. We must admit that at present the super-

dreadnaught is the embodiment of sea power. We can not scrap all our dreadnaughts now, but we may very wisely doubt the advisability of building or designing any more of these very expensive ships if we already have enough to meet any probable enemy upon the sea. Pending the development of the bombing and the torpedo plane we must retain the dreadnaught. This is reasonable.

On the other hand, we can meet the argument of those who say that bombing is inaccurate and that the torpedo plane is a dream by predicting that bombing and the torpedo plane will soon become accurate and deadly. Bombs are not fully developed. We may expect the invention of a combined contact bomb and depth charge or mine carrying an enormous charge. If it does not hit the ship, it will land in the water and act as a mine. Imagine a large force of airplanes placing a barrage of such mines around a fleet, particularly at dawn or twilight, when the planes can not be easily fought off. They may not even attempt to get very close or to score a direct hit. Will an admiral gladly conduct a fleet through a sea planted thickly with such mines? The time has come to "stop, look, and listen." Air navigation, bombing, mines, and torpedoes are in their infancy. We must anticipate the improvements of the immediate future in view of the astonishing developments since the armistice.

FUTURE SEA POWER.

Sea power will continue to exercise the same powerful influence in the future as in the past. But it must be plain to the most casual student that sea power, as expressed in present types of ships, must be allied with air power hereafter. Sea power can not exist alone. The fleet composed of present types, no matter how powerful, must be safe from above. The fleet must at all times control—completely control—the air above itself. When the fleet loses control of the air above it can not long exist, unless, of course, the future ship is made invulnerable from air attack. In other words, a revolution in ship design—nothing else—can make sea power again supreme. Sea power can not defy air power unless the design of the fighting ship is radically changed.

The full influence of air power upon future warfare—ashore and afloat—has not been properly emphasized. It is astonishing that so little attention has been given to this subject.

THE DOMINATION OF AIR POWER.

We have asserted that air power will inevitably force a change in battleship design; but this is not all. Is it not clear that air power will absolutely forbid the transportation of great armies overseas in the future? Can a fleet of defenseless transports, loaded with thousands of men, ignore a rain of bombs, and approach a coast and land these men in safety? It is evident, even to a schoolboy, that this can not be done unless the transporting fleet completely and constantly controls the air above itself. And it must be equally evident that the attacking fleet—no matter if conveyed by an overwhelming force of battleships—can not carry with it across the Atlantic or the Pacific a sufficient force of airplanes to retain control of the air against a defensive nation which possesses an adequate air force.

The nation attacked, therefore, has a controlling advantage and can easily mobilize an air force sufficient to overwhelm the force of airplanes that can be transported overseas. Tons of high explosives will be dropped upon unprotected decks, and a deadly barrage of mines will be planted in the paths of helpless transports. They can not live.

AIR POWER PREVENTS WAR.

It would seem, therefore, that air power alone will tend to prevent, or discourage, war between nations that are separated by thousands of miles of sea. And if we stop to consider the fact that the defensive nation can bring mines, submarines, and torpedo planes to assist its bombing air force against an attacking fleet of transports, does it not appear almost impossible for nations to wage war overseas with great armies hereafter? Surely we may say that coast defense in the future will be comparatively easy. It will be practically impossible for one nation to successfully attack the coast of another nation.

We have asserted that air power, especially when allied with mines, submarines, and torpedo planes, will inevitably revolutionize battleship design and prevent the transportation of large armies overseas hereafter. In short, sea power will be dependent upon air power.

Granting this, we see that the defensive is greatly strengthened and the offensive is greatly embarrassed in war overseas. It follows, logically, that the defense of our outlying possessions—the Philippines, Guam, the Hawaiian Islands, Porto Rico—will be much easier. A strong air force, allied with submarines, torpedo planes, mines, and torpedoes may suffice, unaided by a fleet, to at least hold off an attack if not completely defeat a hostile fleet.

HOME DEFENSE.

The United States can never be successfully attacked in the future by any power or any combination of powers from overseas. The danger from invasion is no more. This is not an extreme statement. We may dismiss this thought from our minds, provided we maintain and properly utilize submarines, mines, and torpedoes. These defensive elements—all of them comparatively cheap—give us great, if not complete, immunity from successful attack by a foreign power.

Inasmuch as the defensive policy is so simplified and strengthened for the United States in the future, we have only to think of the offensive. And the consideration of the offensive elements in future warfare overseas as far as the United States is concerned and the appropriations by Congress for offensive purposes hereafter must be governed by our national policy. We are absolutely safe from aggression. We can not be invaded. League of Nations or no League of Nations, it matters not. It remains, therefore, to decide whether or not we ourselves are to be aggressive hereafter and to what extent we consider it incumbent upon us to be aggressive for the protection of our commerce and to secure forceful influence in foreign affairs. Manifestly we can, if we choose, be very economical, reduce taxation, and greatly curtail appropriation for offensive warfare. It is a question for the people to decide.

Preparedness is as important as ever. Preparedness for defense is much easier than ever before in our history. Preparedness for offense, if we are to attack overseas, is more difficult than in the past. New elements have greatly changed the material, the strategy, and the tactics of the offensive overseas.

FREE SPEECH IN THE NAVY.

It behooves the United States, as never before, to give this subject immediate and intelligent consideration. We may save billions of money and relieve a sorely taxed people if we encourage experts, inventors, skilled strategists, and zealous officers of the Army and Navy to concentrate upon this subject. Discussion must be welcomed. Suggestions and criticisms must be invited. The Navy Department and the War Department as well must set officers free from the throttling and muzzling

policy of the past, and permit ability, intelligence, and loyalty to express themselves. Personal servility and subservience to individuals, whether civil or military, must not be demanded of Army and naval officers. Such policies defeat preparedness. Such policies put mediocrity at the helm in the Navy. A violent change is demanded right now. The stifling of respectful free speech in the Army and Navy should not be tolerated in the future. In this Great Britain shows us the way. Her officers are not smothered professionally. Her policy in this respect spells freedom, not autocracy. The days of czars and kaisers are past—even in the United States. We need an adequate Navy, always up to date, always ready for battle—not some of the time, but all of the time; every minute of the time.

Mr. BORAH. I gave the Naval Affairs Committee the name of Capt. Hart, but I understood Capt. Hart was not available, and he was not called.

Mr. POINDEXTER. He was in Guantanamo, and as long as we had the testimony of three or four other gentlemen whose names the Senator suggested we thought that was sufficient.

Mr. BORAH. I am not criticizing. I understood he was not available.

Mr. KING. I did not hear all the statement of the Senator from Washington, but I asked the committee—and I do not think it is executive—if a certain admiral has been called to give testimony relative to this matter, and I understood from some member of the committee that he had testified before the House committee. Upon examination of the record I discovered the fact that he was not called in the House. I regret that, because I am sure his testimony would have been very illuminating upon this subject.

Mr. POINDEXTER. I think the Senator was misinformed in regard to that. I think he refers to Admiral Fullam.

Mr. KING. I am referring now to Admiral Fullam.

Mr. POINDEXTER. My information is that he gave testimony before the House committee upon this subject, and I assume that his testimony is available. At the time the Senate committee undertook to get him, we were informed that he was on the witness stand before the House committee, and when we afterwards, the second time, undertook to secure his attendance we found that he had returned to New York, and concluded that, in view of the fact that he had given his testimony, it would not be necessary to send for him.

Mr. KING. I asked for the hearings before the House committee, and in those hearings which were transmitted to me the name of Admiral Fullam does not appear, and I do not think he testified over there. I am sure that neither House has had the benefit of his wide experience.

Mr. POINDEXTER. The Senator is mistaken, I think. I think I can get his testimony for him.

Mr. BORAH. I think the Senator from Utah is correct. I do not think Admiral Fullam has testified. I understood from the Senator from Utah that he had testified, and I asked for his testimony and was unable to secure it. I hope, however, that we are in error and that we will have his testimony, because I think it would be illuminating.

Mr. BRANDEGEE. Did the authority last reported by the Senator from Idaho, which, as I heard it, merely confined itself to the susceptibility of this country to invasion, discuss the question whether our commerce could be maintained on the seas and whether our insular possessions could be safely held with simply submarines and bombs from airships? Did he touch upon the points I have suggested?

Mr. BORAH. He has covered those points; but I did not read what he said regarding them, because I have asked leave to insert the article in the Record. I am going to insert a number of these statements in the Record, because I do not want to take the time to read them, and I know Senators will read them as soon as they have an opportunity to do so.

This authority from whom I quoted a moment ago says:

When Admiral Sims went to England in April, 1917, he immediately reported that the German U-boats were winning the war. In this he was backed by the late Ambassador Page and by Admiral Jellicoe, who admitted that England could not go on unless the submarine was conquered. The grand fleet was intact. The German cruisers had been driven from the sea. The German fleet was bottled up. The navies of France, Italy, and Japan were helping out the grand fleet. About 4,000 anti-submarine craft were hard at work chasing submarines. And yet England was facing starvation. Let these facts penetrate our brains at the beginning of this review. Capt. Hart estimates that not more than 10,000 officers and men of the German Navy were employed throughout the war in their submarine fleet. As a rule not more than 30 German submarines, manned by about 1,500 men, were at sea at any one time in the war. And let us remember that against these 10,000 men the personnel of the navies of Italy, Japan, and the United States, numbering, all told, more than 1,000,000 men, were arrayed. Furthermore, against these 30 U-boats and 1,500 Germans 400 small craft were busily searching the seas every hour of the day.

These 10,000 men came very near winning the war, starving England, and overcoming the combined fleets of Great Britain, Japan, the United States, Italy, and France.

If I may make my position clear again, it is that this reveals a condition which makes it absolutely incumbent upon us to know in what proportion we should expend our money for capi-

tal ships, for submarines, for aircraft, and for those things which constitute in the minds of these men the best modern fighting navy, and what I suggested was a suspension of the building program for six months.

Mr. THOMAS. Mr. President—

The VICE PRESIDENT. Does the Senator from Idaho yield to the Senator from Colorado?

Mr. BORAH. I yield.

Mr. THOMAS. The Senator will recall that the constructors and the advocates of the League of Nations declared that an enormous navy was the alternative to the scheme. Those gentlemen are now very largely engaged in advocacy of the present naval program. Not only so, but many of them contend that it is the duty of the United States to provide itself with the greatest navy in the world. Does the Senator see any connection between that attitude and the possible desire to force that program for the purpose of changing the sentiment of the American people and thus securing hereafter our ultimate entrance into the League of Nations?

Mr. BORAH. The suggestion is a good one, but I will not follow it up, because it would lead to a discussion which would take the rest of the afternoon.

Mr. THOMAS. If the Senator will permit me, there seems to have been a complete change of opinion on the part of some distinguished gentlemen regarding our need for an enormous navy, for I recall very distinctly that in the days when I was opposing the expansion of the Navy beyond what seemed to me to be good limits those gentlemen were in sympathy with me, or, to put it more modestly, I was in sympathy with them. But they now seem to be among the loudest, most strident advocates of an enormous naval program.

Mr. BORAH. Yes; I have observed that. Mr. President, I have read to-day from the statements of several members of the British Navy; and that suggests another proposition which has been circulated throughout the country, that Great Britain is actually engaged in propaganda to prevent us building capital ships; that that propaganda has the indorsement of the British Navy, the British ministry, the British people, and the British press. Discount therefore is to be placed upon the views of the members of the British Navy. This, it is said, is because Great Britain can not build capital ships—has not the means. She therefore, it is said, is actually engaged in a propaganda—circulating the news throughout this country that they are obsolete—in order to discourage us from building those ships.

Not only that, Mr. President, but the information is put out to the country that the facts and the proof as to the propaganda of the British Navy and the British Government are now in the possession of the Navy Department at Washington. If that is true, Mr. President, that is one of the grounds on which we went to war with Germany—that they were actually interfering with our program of preparedness; that they were engaged in propaganda which was to mislead the judgment of the American people as to the necessity of preparedness.

If the information to this effect is in the hands of the Navy Department, the Congress of the United States and the people of the United States are entitled to have it. This is no time for secrets. The people were fed on falsehoods and denied information for a quarter of a century prior to 1914, and we know the result. So far as I am concerned I shall adopt a different course for the future and as fully as within me lies I shall force the facts to the public.

We are informed that the British ambassador is on his way here for the purpose of proposing a scheme of disarmament, and at the same time we are informed that here in the archives of the Navy Department is conclusive proof that the British Government is engaged in the preparation of false facts for the purpose of accomplishing a false end. I read a paragraph from an article published a few days ago in the Washington Post:

The British Admiralty has been, and still is, conducting a very active campaign to prevent, if possible, the completion of the American 1916 program of 10 battleships and 6 battle cruisers. Reliable information to this effect has been received from officers of the United States Navy whose business it is to keep the Navy Department constantly advised of what is transpiring in foreign countries and to warn the Government against legitimate but misleading attempts of foreign naval authorities to discourage plans which would increase the value of the American Navy in proportion to their own.

According to one ranking officer here, reports from abroad may be summarized as follows:

"The British do not want us to finish those ships, because it will put the United States on an equal footing in battleships. Attempts to minimize the value of capital ships, especially battleships, must be viewed as part of this carefully planned propaganda."

I should like to ask the Committee on Naval Affairs if they undertook to investigate that feature?

Mr. POINDEXTER. What feature was that?

Mr. BORAH. As to whether the Navy Department has any evidence of propaganda being carried on by the navy of Great

Britain and by the Government of Great Britain to mislead us as to the building of capital ships.

Mr. POINDEXTER. There was some testimony on that subject, but the committee were not of the opinion that it ought to be published. It is accessible to the Senator.

Mr. BORAH. If the Senator gets it, it will be accessible to the public.

Mr. POINDEXTER. I have not anything to say about what the Senator does with information that he obtains. That is for him to determine.

Mr. BORAH. I would not receive that kind of information if I could not give it to the people of the country, who have to pay the taxes and suffer in the event war comes.

Mr. POINDEXTER. That is equivalent to saying that any information we get as to our international relations ought to be given to the public. My opinion is that the publication of information of that kind sometimes creates international difficulties that otherwise might be obviated. I do not agree with the Senator in his conclusion; but of course that is a matter for him to determine.

Mr. BORAH. I can imagine such a condition, but here is a different situation. We are supposed to be upon the friendliest relations with Great Britain. She is indebted to us billions of dollars. We are forgiving or rather refusing to collect the interest. Our relations are supposed to be the friendliest. The people of this country are told day after day that they are of the friendliest. Now, I am told that in the possession of the Navy Department here is evidence that Great Britain is not only unfriendly but actually engaged in circulating false propaganda throughout this country for the purpose of misleading the American people as to the necessity for preparedness or building a naval program.

I say that that kind of evidence under no theory of secrecy in secret diplomacy ought to be withheld from the people. My own opinion is that it is not there. I can not conceive of such a condition of affairs. My own opinion is that the facts are not to be had, but if the Naval Committee has not got them, then it should get them. It is nothing less than startling that we should ignore this statement which was accredited to an officer of our Navy.

Mr. KING. Mr. President—

Mr. BORAH. I yield to the Senator from Utah.

Mr. KING. If the naval authorities and the British Government, as the result of the war and their investigations, reached the conclusion that there ought to be modifications of their program with respect to capital ships and that capital ships were not as important in naval warfare as in the past we have believed them to be, would the Senator regard it as an unfriendly act if their conclusions based upon their judgment were furnished to the American people or to the people of any other country? On the contrary, does not the Senator think it would be an act of friendliness?

Mr. BORAH. I do. I am not complaining of presenting the facts. This statement is to the effect that they are sending out statements which are not true, and that they are for the purpose of misleading.

Mr. POINDEXTER. I wish to say, regarding the matter just spoken of by the Senator from Utah, that it has been published and included in the report which the resolution of the Senator from Idaho, that was adopted by the Senate, instructed the Senate committee to make. The resolution of the Senator was mandatory in form, and instructed the committee to make a report of what its opinion was upon certain questions, and included in that report, which was published and is accessible to everybody, is the information which the Senator from Utah refers to in his question as to whether it would be an unfriendly act to publish it. The information is that the British Navy has not abandoned the battleship; but, on the contrary, emphasizes the fact that the battleship is the backbone of the British fleet.

Mr. BORAH. The navy itself has come to that conclusion, but the British Government refused to accept the conclusion.

Mr. POINDEXTER. I think that the Senator is somewhat mistaken about that. There is quoted in the report the most authoritative expression that it is possible to obtain from the British Government, and that is the speech of the first lord of the Admiralty in presenting the naval bill to the House of Commons.

Mr. BORAH. I am perfectly aware, and the Senator is also aware, of the fact that after that speech was made the entire question was referred to the committee upon imperial defense, and there it is for investigation.

Mr. POINDEXTER. That is not different in any way from what the United States has done, or at least the Senate has done, at the instance of the Senator from Idaho. They referred

the question to the Committee on Naval Affairs of the Senate, but that is no evidence of having abandoned the battleship.

Mr. BORAH. But here is the difference: The Government of Great Britain suspended building operations for six months, and in the meantime referred the question to the committee on imperial defense for investigation. There it remains for six months, notwithstanding the fact that the navy decided that the capital ship was the backbone of the navy.

Mr. POINDEXTER. I do not desire to interrupt the Senator too much, but—

Mr. BORAH. I have no objection to interruptions.

Mr. POINDEXTER. The British battleship line is about double in strength that of any other nation at this time, so they could well afford to suspend additional construction.

Mr. BORAH. The British battleship line is not by any means double so far as modern ships are concerned. The battleships of Great Britain, in view of the Battle of Jutland, are not regarded as an effective navy at all.

Mr. BRANDEGEE. Will the Senator pardon an interruption?

Mr. BORAH. Certainly.

Mr. BRANDEGEE. Apropos of what the Senator from Washington said as to the British being able to afford reduction or suspension of construction at the present time, I would call his attention to the fact that the papers of this city of last evening stated that the ambassador of Great Britain to this country, who has been back in England for some weeks, is now returning to this country with the idea of obtaining or accomplishing what is called "a closer understanding" between Great Britain and America. I do not know what is intended to be meant by the words "a closer understanding," which are usually put in quotation marks. The papers further stated that unless that understanding could be obtained Great Britain would not be willing to curtail her naval construction.

However, I myself do not suppose that the statement is reliable, any more than the statement which the Senator from Idaho has quoted as to Great Britain engaging in a campaign of deception in this country with a view of misleading us as to the completion of our naval program. The papers say anything they have a mind to. I doubt if either one of the statements is based on facts. As for myself I should dislike to think that it was, especially the statement which the Senator from Idaho quotes, because, as he suggests, if that were true it would seem to be as nefarious a breach of international courtesy and as insidious and inimical campaign against the best interests of this country as the proceedings that German diplomatic officials were alleged to have indulged in here before we entered the war against that Government and for which we had to put them out of the country.

Mr. BORAH. A great deal has been said, since the discussion as to the modern navy began, to the effect that Great Britain has ceased to build capital ships because she is not able to build them. If anyone supposes that Great Britain has come out of this war unable to build a navy sufficient and efficient to take care of the interests of Great Britain, I think they are greatly in error. Great Britain was never so strong in her history as she is to-day. The only real competitor that she has in commerce and in naval affairs in Europe has passed out, and she is in control of her colonies and, to a large extent, taking possession of her commerce and her business. As has been said, she is more completely in control of the seas, as to commerce and from the standpoint of naval strategy, than she has been since the days of Henry VIII.

Mr. POINDEXTER. Mr. President—

Mr. BORAH. I yield.

Mr. POINDEXTER. Without going into the question at all, but just in connection with the question which the Senator raised a moment ago as to the strength of the British Navy in battleships, I would say that the United States has 81 battleships of a total tonnage of 611,000 tons, and Great Britain has 51 battleships of a total tonnage of 1,640,000 tons. Seventeen of the latest and greatest of British battleships have been built by her since she entered the war with Germany.

Mr. BORAH. She has built no battleships since the Battle of Jutland.

Mr. POINDEXTER. But she has launched quite a number since that time. In 1916 she launched six and in 1917 she launched one battleship.

Mr. KING. Will the Senator from Idaho yield?

Mr. BORAH. I yield.

Mr. KING. Many of the ships of the 51 to which the Senator from Washington refers are obsolete. They were constructed many years ago and the types have clearly been disapproved by the experiences of the recent war. The six to which the Senator refers were launched before the experiences of the recent

war had demonstrated the vulnerability of battleships and the superiority of other means of naval attack that have been developed.

Mr. POINDEXTER. I do not know what conclusion the Senator draws from that, but the British battleships are no more obsolete than the battleships of the United States, some of which were of the old type and some of ours of the old type. Some of ours are of the most improved type known to naval construction, and some of hers are, but the difference is that the British Admiralty have in the most emphatic terms adhered to the policy of maintaining a line of battleships, while the Senator from Utah says they are obsolete.

Mr. KING. No; the Senator from Utah did not say battleships were obsolete. What the Senator from Utah said was that a large number of the forty-odd to which the Senator from Washington referred were obsolete. I concede that some of our battleships are also obsolete.

Mr. BORAH. Yes; I think that our battleships which have been constructed since the war are the only really modern battleships which we have.

Mr. POINDEXTER. That is not entirely correct. They are the most modern and the most improved. While the building program was authorized in 1916, the type and the armament and the motive power of these ships have been kept strictly up to date, and they are being constructed in compliance with the best views of naval construction which it is possible to obtain.

Mr. BORAH. There is what is called the post-Jutland battleship and the pre-Jutland battleship, and I understand that all of those which have been contracted for since the war are of the post-Jutland type. Those of prior date are regarded as practically obsolete for fighting purposes, I understand, although they are good yet for display purposes. Great Britain has not laid down a single capital ship since the Battle of Jutland, as I understand. I have sent for a magazine containing an article by Mr. Hurd, who is an expert upon the subject, which makes that statement.

Mr. BRANDEGEE. Mr. President, the Senator from Idaho will remember, however, will he not, that there was testimony before the Committee on Foreign Relations when his resolution was being considered that the present effective strength of the British Navy was more than twice that of the United States?

Mr. BORAH. I remember that statement was made by Admiral Coontz.

Mr. BRANDEGEE. Yes.

Mr. BORAH. Just a word in conclusion to restate my object and purpose in so persistently urging this matter. First, it is in behalf of economy; it is to save, if possible, unnecessary millions being placed upon the already bended backs of the American people. We have about reached the limit. We hardly dare be frank with the American people to tell them of the burdens they have really got to carry. Secondly, it is in behalf of efficiency. What we possess in the way of a navy must be the navy of the last best thought of the world. We are happy, therefore, in our contention in representing both protection to the people who pay the taxes and protecting those who must suffer and die in case the Navy must be used. I have no desire to continue a fruitless endeavor merely for the purpose of contention, but believing that this is a matter of uncommon moment I shall continue to urge it until proper action is taken and until information such as we are entitled to is at hand.

Mr. POINDEXTER. Mr. President, I shall not at this time ask the privilege of detaining the Senate to go at any length into the question which has been discussed by the Senator from Idaho. I have listened very carefully to his statements with the object of ascertaining just what the views of the Senator from Idaho are as to the action the United States should take in regard to its naval building program. I understood the Senator to state that he is not in favor of the abandonment of the battleship at this time. In so far as that position is held by the Senator from Idaho, there is no difference between him and the Navy Department and the Naval Affairs Committee of the Senate which has reported upon his resolution. The Senator has read a large number of extracts.

Mr. BORAH. May I say that I am not in favor of abandoning the battleship, as yet at least; but I am in favor of suspending the naval building program for a period of six months or a year in order to determine what we should do.

Mr. POINDEXTER. That would be equivalent to abandoning the battleship in so far as any hope of maintaining equality with other naval powers is concerned. If we should abandon the naval program, which has been laid out with so much expense and for which contracts have been let for a period of six months, it would be so dislocated that it would practically be impossible either to reassemble the personnel or to restore the material that is involved in the construction of these highly

organized battleships and battle cruisers so as to carry out the program at all. In the meantime, if other nations—it is not necessary to mention the nations, for they are very well known, and they are maintaining great naval establishments—should proceed with their naval construction, as they are proceeding and as they announce they intend to proceed in some cases with the construction of new battleships, with Great Britain, for instance, maintaining in commission 51 battleships of the tonnage which I have just stated, the United States would be at such a disadvantage that it would be useless for her to attempt to negotiate with any one of those powers on any basis of equality as to the future relative naval status of the several countries.

The opinion of the Naval Affairs Committee in reporting the resolution was in favor of an effort on the part of the United States to obtain an agreement between the great naval powers of the world looking toward the limitation of armaments. The committee are not in disagreement with the Senator from Idaho upon that subject, but the committee are of the opinion that if before sitting down at the table of conference with those powers the United States should practically disarm itself by the suspension of its naval construction program, which is necessary to bring it anywhere near equality with some of them, or to maintain its relative position with the others, it would be in a position of inferiority in the negotiations.

Mr. BORAH. If the report of the Naval Affairs Committee states what the Senator from Washington has just indicated, it presents a more substantial basis of reasoning, but I confess that I do not find that in the report of the Committee on Naval Affairs at all.

Mr. POINDEXTER. I do not know that the exact reasoning is in the report of the Naval Affairs Committee, but I will read to the Senator what the report states upon that subject.

Mr. KING. Will the Senator yield for just a moment?

Mr. POINDEXTER. In a moment I will yield to the Senator.

Mr. KING. I wish to reply to the statement made by the Senator from Idaho.

Mr. POINDEXTER. I will yield in just a moment. The report concludes as follows:

The members of the committee are as anxious to bring about a reduction of armaments and relief from the burdens which those armaments impose upon the nations of the earth as anyone can be, but no disarmament would be of any value unless it was general and in the case of the great maritime powers universal. Unhappily this is not the case at the present time, and we must deal with conditions as they exist. For one nation to leave itself exposed to attack while another is preparing all the engines of war would be not only folly, but the greatest danger to the peace of the world that could be imagined. We earnestly hope that an agreement may be reached among the nations for a general reduction of armaments, but at the present moment universal disarmament has not been established and the United States can not leave itself undefended if it is threatened from any quarter. To do so would be a wrong to the American people and no service to the cause of peace.

Mr. BORAH. That states an entirely different proposition, and an entirely different argument.

Mr. POINDEXTER. It does not state a different proposition, though it may state a different argument.

Mr. BORAH. It states a different proposition. The question whether or not we would be in a position more readily to secure an agreement to disarm was not referred to by the committee at all.

Mr. POINDEXTER. No; not at all; but it is perfectly obvious, and I am glad that the Senator from Idaho agrees with me in that respect.

Mr. BORAH. I am glad the Senator has stated that reason, because it is the first real reason I have heard stated.

Mr. POINDEXTER. I think the two reasons are very closely connected. There are a great many other reasons that might be stated. It was a conclusion as to the policy to be pursued that was requested by the resolution, rather than an elaborate process of reasoning by which those conclusions might be reached.

There is the further circumstance that ought to be emphasized, namely, that there is no difference of opinion between the Senator from Idaho, the naval authorities whom he has quoted, the newspaper opinions which he has read, the Navy General Board of the United States, and the Naval Affairs Committee in the Senate in regard to the value of other branches of naval armament. In the report, both of the committee and of the Navy General Board, it is not only set out but is urged with the utmost emphasis that the United States should proceed with the utmost expedition and with all the facilities at its command to develop the very instrumentalities which the Senator from Idaho is urging shall be developed. They agree with him as to the importance of building submarines and as to the importance of developing naval aviation, and have gone so far

as to recommend in the report that a portion of the 1916 naval construction program be eliminated and that there be substituted for it the construction of certain accessories for the aviation service of the Navy.

All of the ships that were included in the 1916 program have been contracted for and are in various stages of construction, some of them completed, some nearing completion, and some just laid down, with the exception of 12 destroyers, 6 submarines, and 1 transport, and, in view of the relative number of destroyers with which the Navy is provided and the relative number of submarines with which it is provided or which are in process of being provided, the Navy General Board and the committee, in the interest of the very thing which the Senator from Idaho is urging, have recommended that these 12 destroyers and submarines be eliminated from the naval building program and that there be substituted for them 2 airplane-carrying ships, which are regarded as fundamental essentials to the naval aviation service, showing what seems to me to be the fact that this is very largely an artificial issue; that there is not so much real difference of opinion.

Mr. SMITH of Maryland. The construction recommended to be eliminated involves, I believe, an expenditure of \$55,000,000.

Mr. POINDEXTER. Yes.

Mr. SMITH of Maryland. It is recommended that that sum be authorized for the building of airplane carriers.

Mr. POINDEXTER. Yes.

Mr. SMITH of Maryland. Instead of building 18 of the ships which were authorized, it is recommended that the construction of those ships be stopped. That is the evidence before the committee.

Mr. POINDEXTER. Yes.

Mr. BORAH. Mr. President, may I ask the Senator from Washington how many of the 16 ships are now less than 20 per cent completed?

Mr. POINDEXTER. The ones to which I have just referred? Mr. BORAH. No; the 16 capital ships, not the small vessels to which the Senator has just referred.

Mr. POINDEXTER. Three or four of them are perhaps less than that. I can furnish the Senator with the exact percentages. I have not the figures at hand, but I have them in my office.

Mr. BORAH. There are 3 or 4 of the 16 that are not over 20 per cent completed?

Mr. POINDEXTER. Yes; of the 10 battleships.

Mr. BORAH. Can the Senator advise me how many have not proceeded over 40 per cent toward completion?

Mr. POINDEXTER. I think one or two, in addition to those which have not proceeded to a degree of over 20 per cent toward completion. The testimony before the committee was, however—and that was the highest authority which we could obtain from the Navy Department—that if the naval program is suspended for a period of six months, as is proposed by the Senator from Idaho, it would entail a loss in case it was ever resumed of between \$15,000,000 and \$25,000,000.

Mr. KING. Mr. President, may I interrupt the Senator there?

Mr. POINDEXTER. Yes.

Mr. KING. I concede there would be some loss, but I do not think the Senator ought to ignore the fact that there would be tremendous gain. The Navy Department, in my opinion, has made indecent haste to let some of these contracts under high pressure and at high prices, whereas if they had waited a little while the supposed losses to which they have testified would have been more than gained by the advantages which they would have reaped in other contracts.

Mr. POINDEXTER. I do not think there has been any indecent haste about the letting of contracts, in view of the fact that the authority was granted in 1916. I imagine we could save money along the line of which the Senator from Utah speaks by suspending the building program for a period of 10 years, but the need or opportunity for naval defense may have ceased to exist during that time. The idea that we ought to suspend it for any period of time, in the view that there might be cheaper prices obtained a year or two or three years from now, is equivalent to saying that in the meantime we can allow ourselves to remain comparatively undefended while other nations are going ahead with their naval programs along each one of the lines which are included in our 1916 program.

Mr. SMITH of Maryland. Mr. President, I suggest to the Senator that the evidence before the committee was that the ships on which the least had been done in the way of construction are battle cruisers, which are needed and considered more important to the Navy than any other vessels being built. They are the class of ship which we need and in which we are now most deficient, and it has been testified that all nations which

profess to have a navy, particularly Great Britain and Japan, have many more of them than we have.

We have, as I remember, six, and Japan has four, and is now building eight; and it was considered that they were more important than even the ships that were further advanced in construction.

Mr. POINDEXTER. Yes; that was the general opinion of the naval officers who advised the committee, and, among others, Admiral Sims, who was called at the suggestion of the Senator from Idaho; and I may say that having called Admiral Sims and Admiral Fiske at the suggestion of the Senator from Idaho, we were advised by both of them that it was not expedient or advisable or sound policy to suspend the building program or to abandon it.

I want to call the attention of the Senator from Idaho to this fact, with which I am sure he is already familiar, but it seems to me that one would get the impression from the points he has been making and the opinions he has been quoting that he has not taken it into consideration. This 1916 program is not merely a battleship program. It provided for 10 first-class battleships, for 6 battle cruisers, for 10 scout cruisers, for 50 torpedo-boat destroyers—I may add that a great additional number of torpedo-boat destroyers were constructed during the war, under special war measures—for 9 fleet submarines, for 58 coast submarines, for 1 special submarine equipped with the Neff system of submarine propulsion, and for quite a number of auxiliary ships. So it is perfectly obvious that there was no neglect of the submarine branch of the Navy in that program, nor was there any neglect of the destroyer branch, nor of the light cruiser branch, nor of the battle cruiser. They were all cared for, and it was supposed that they were properly balanced with reference to the number of battleships that were authorized.

Now, the fact of the case is, as the committee is advised—and it seems to me it is quite inconsistent with the proposed policy that the Senator from Idaho has advanced here—that all of the great naval powers of the world take a different view from that proposed by him. Japan does not entertain that view. She is building battleships. Great Britain does not entertain that view, because she has announced from the highest official sources to her legislative body that she still relies upon the battleship as the main line of the navy.

Mr. BORAH. Yes; but Great Britain has suspended building for six months to determine whether or not she will accept that view.

Mr. POINDEXTER. Yes; and that has been one of the things that have aroused the suggestion which was referred to a moment ago by the Senator from Idaho, that in proclaiming that she has suspended the building of battleships, and urging other nations that they should suspend the building of theirs, while she has twice or three times as many battleships as any other nation, she had an interested motive and not any desire or any intention to abandon the battleship.

A great deal has been said about the battle of Jutland. I am not a naval strategist or any other kind of a military strategist, but most of these things can be estimated by the application of ordinary common sense. There were no submarines at the battle of Jutland. There were not any aircraft at the battle of Jutland, at least upon the side of the Germans. It was a battle that was fought by battleships and by battle cruisers; and what was the result of it?

Many of the alleged naval authorities that the Senator from Idaho has quoted say that it was a demonstration of the uselessness and the obsolescence of the battleship; but the result of it was that Great Britain remained mistress of the sea, and that the German fleet retired to its base, and remained bottled up in its ports from that time until the close of the war.

I think that the importance of the Battle of Jutland, and the relative importance of the different branches of the service that were in that battle on each side, can be clearly demonstrated by asking the question, "What would have been the result if Germany had won that battle?" I think she would have won the war. If Germany had so crippled or destroyed the British fleet that the result of that battle had been the reverse, and the British fleet instead of the German fleet had been bottled up in their ports and unable to go to sea, as was the German fleet, she would have cut off the communications of Great Britain and of America from France, cut off the food supply from the British people, cut off equipment from the army in France, and they would have been compelled in a short time to yield.

I think it was Lord Jellicoe, in his account of that battle, who said that the question was asked, "What was the result from a naval standpoint of the Battle of Jutland?" and his answer was, "Scapa Flow," meaning by that that as a result of the Battle of Jutland the German fleet—a long, unprecedented

line of vessels—submitting to the enemy and surrendering to the British power, ended the war, so far as the navy was concerned, at Scapa Flow; and I think that is correct.

How it can be said that battleships and battle cruisers had no part in determining the war is more than I can understand, in view of those circumstances, known to everybody, and from which it is easy to draw the conclusions to which I have referred.

I have seen a good deal about a proposed test of this question between the Secretary of the Navy and Gen. Mitchell, but I have never seen stated anywhere conditions which would really represent a naval battle. It is proposed that the Secretary of the Navy shall navigate a ship at sea, and that Gen. Mitchell shall fly over it in the air and drop bombs at it, and no other elements are taken into consideration; but there would not be any naval battle of that kind. There would be other aircraft engaged in it if it were an actual battle. There would be other surface craft, and other under-the-surface craft. Gen. Mitchell would not be allowed, if he were engaged in an actual battle, to proceed to attack the enemy as he proposes in these conditions which have been stated—to proceed to attack the Secretary of the Navy navigating the *Iowa*. He would be attacked by the battleplanes of the enemy, and the naval force of which he was a part would be attacked by the enemy's submarines, by the enemy's destroyers, by the enemy's light cruisers, and by the enemy's battleships.

It seems to me that anyone can form an accurate opinion by asking himself the question, "What would have been the result of a battle between two rival naval forces, one of which was completely armed with aircraft and with submarines and with all of these newer branches of naval warfare of which the Senator from Idaho is an advocate, and the other one of which was equally armed, but the second one had battleships in addition, and the first one had no battleships?" There can not be any doubt about the result.

The air forces and the submarine forces of each side would neutralize each other, and the battleship would remain mistress of the sea and mistress of the communications of the respective countries that were engaged in the war.

That is the view that is taken by the Naval Board. That is the view that is taken by the naval authorities of Japan and of Great Britain and of Italy and of France, none of whom have abandoned the battleship as a part of their naval forces; and for that reason it seems to me that there is no substantial showing made here either in favor of abandoning battleships altogether or in favor of suspending the program.

The Senator from Idaho says—and quotes some authority to the effect—that some time in the future aircraft may be developed to such a point as to be able to destroy battleships at will and put them out of commission as arms of naval warfare, but that is a mere hypothesis. They have been trying to do that ever since aircraft were invented and ever since submarines were invented. It has not been done yet. It was not done during the war.

Mr. BORAH. Mr. President—

Mr. POINDEXTER. Just one moment. When the war ended, the one outstanding feature was that the battle fleet of Great Britain was in control of all the seas of the world. There was not any power, either among her allies or among her enemies, that could challenge her supremacy upon the seas, and the effect of that one outstanding fact upon the armies of the belligerents in France was the controlling influence which brought victory to America and the Entente Allies; and it was done in spite of the submarine, it was done in spite of aircraft.

One of these authorities says that if Germany had done so-and-so she could have destroyed the British grand fleet. It is a great pity that Germany did not have the benefit of his genius in her struggle for existence. Does anyone suppose that Germany did not do everything that she could? Up to the present time I have been under the impression that Germany rather led the world in the quality of her submarines, in the rapidity with which she responded to inventions and to improvements in every new art of naval warfare. And yet here comes a man who, so far as I know, was not actively engaged in the war—I am informed that some of these retired British officers whom the Senator has quoted had no active commands during the war; they commanded no ships or squadrons—and says that if Germany had done so-and-so she could have won the war; but she did not do it. Notwithstanding the exhaustion of her military genius and of her physical powers, she failed to do it; and it is upon the actual results obtained under war conditions, when nations are fighting for their existence, and when men put forth the supreme effort of their lives, that the naval policy of nations must be based, instead of an hypothesis of newspaper theorists.

Mr. BRANDEGEE. Mr. President—

Mr. POINDEXTER. I yield to the Senator from Connecticut.

Mr. BRANDEGEE. Does not the Senator think it is true that if it had not been for the British grand fleet, composed of capital ships, the German grand fleet would have swept the ocean clear of all the commerce of the Allies?

Mr. POINDEXTER. I think the Senator is entirely correct in that, and I just suggested this consideration. We will suppose that at the Battle of Jutland the result had been the reverse from what it was; that instead of the German fleet being driven back to its port and seeking refuge the British fleet had been driven back, and the German fleet had gone to sea and cut the communications of the Allies. She would have won the war.

Mr. BORAH. On the other hand, what did the grand fleet do toward protecting the commerce of Great Britain?

Mr. POINDEXTER. It protected it.

Mr. BORAH. What did it do against the submarines?

Mr. POINDEXTER. It destroyed the submarines and curbed them, and at the time the war ended had the submarine menace practically ended.

Mr. BORAH. Mr. President, as I am informed, and as seems to be conceded, at the time the submarine was bringing Great Britain to its knees the grand fleet did nothing whatever to relieve the situation.

Mr. POINDEXTER. Mr. President, while the submarines were bringing Great Britain to her knees the grand fleet kept the German fleet bottled up in its ports.

Mr. BORAH. I am speaking about what they did to prevent the submarines from preying upon the trade and commerce of Great Britain.

Mr. POINDEXTER. Was not that doing something, if it kept the naval forces of the enemy from preying upon their commerce, if they controlled the sea so as to enable its submarines and its destroyers and its aircraft to operate against the German submarines, and to enable the representatives of the American Navy, when we became involved in the war, to lay a mine barrage in the North Sea so as to cut off the German submarine from its opportunities of attack upon allied commerce? It did that. Does the Senator suppose the small ships which were engaged in laying that barrage of mines across the North Sea for the purpose of hemming in the submarines could have operated unless the British fleet had kept the German fleet off of those seas and bottled up in their ports?

Most of this argument is conducted upon the theory, it seems to me, that one side is going to have all of the submarines and all of the aircraft and the other have nothing but battleships. That is not the theory of the report of the Navy General Board, upon which the Senate committee made its report to the Senate. On the contrary, the recommendation of the Navy General Board is, and the recommendation of the Senate committee is, that the United States shall undertake to develop its submarine forces and its aircraft forces to the same extent and to the same power that the enemy develop theirs.

Mr. BORAH. Mr. President, may I interrupt the Senator to read a paragraph from Admiral Hall? He says:

Our grand fleet, supported by all the fleets of our allies, was impotent to help us against the submarines while we hovered on the brink of disaster.

Mr. POINDEXTER. I am curious to know whether the Senator agrees with that opinion, in view of the fact that the English grand fleet kept control of the surface of the seas during that entire period, and that as a result of that control of the seas, at the end of the war, with victory for Great Britain and her allies, they had subdued the submarine menace. I do not mean to say that the grand fleet operating alone could have done that, but I do mean to say that but for the grand fleet it could not have been done; that the grand fleet, with its line of battleships, its submarines, and its aircraft, constituted one coordinate whole of the fighting force, and that it was an essential and constituent part which brought about the victorious result of the war.

Mr. BORAH. I only desire to say that this view of Admiral Hall was concurred in by Lord Fisher, by Read Admiral Percy Scott, and by Admiral Henderson, all of them very prominent and distinguished men, and some of them rendered great service in the war.

Mr. POINDEXTER. I am not sure just what service they rendered. I am advised that Admiral Scott did not have command of a ship during the war.

Mr. BORAH. But there is no doubt about what Lord Fisher did. I quoted from him a while ago. He said that his judgment was that we should scrap the battleships, and in future fight the battles of the world under the sea and in the air.

Mr. POINDEXTER. Of course, while Lord Fisher may have said that, there are a great number of admirals of the British Navy who do not agree with him in it.

Mr. BORAH. I agree with that statement perfectly.

Mr. POINDEXTER. The British Navy control does not agree with him in that. Why should the United States take his advice, when his own country does not take it?

Mr. BORAH. I do not know but that his own country would have been infinitely better off if they had taken his advice before the war as to the kind of a navy which should be built.

Mr. POINDEXTER. What would have been the result? We had victory in the war. What might have been the case if they had followed some other policy and his mere speculation?

The Senator asked me a moment ago about the percentage of construction upon the capital ships in the 1916 program. I will say that there is one that has just been laid down, which is only five-tenths of 1 per cent completed. That is a battleship. Another one is 10.9 per cent completed; another 18.6; another 13.1; another 13.8; another 17.6. The remainder of the 11 which are under construction are considerably more advanced. The battle cruisers are not so far advanced. But, as has already been stated, Admiral Sims, who was called at the instance of the Senator from Idaho, urged particularly and emphatically that the program for the construction of the battle cruisers be not interrupted in any way at all.

A great deal has been said in the argument of the Senator from Idaho, and in the authorities which he quoted as to the size of the fleet which would be required to defend the shores of the United States against attack. Of course, that idea is based upon the theory that in case of trouble with a rival power the United States would retire within its borders and defend itself upon its coast, and, of course, the United States could do that if it adopted that policy. But if it adopted that policy it would become at once a defeated nation. It would become at once, notwithstanding its great extent and its illimitable resources, which have been referred to by the Senator from Idaho, subject to the control of those nations which dominated the seas of the world. It would lose its commerce. None of its citizens could go upon the high seas of the world to carry their business into any foreign country, except at the mercy of a rival power and upon such terms as might be laid down for it by that rival power.

If such a policy as that were adopted, it would lose its outlying possessions and be immediately compelled not by its own voluntary choice, but under compulsion and at the command of a superior naval force, to haul down its flag upon every island possession which it had; and, of course, if we are going to adopt that policy, these things should be taken into consideration and we should have clearly in view what the result would be. Great as it is, the United States can not survive unless it maintains its communication with the rest of the world. It can not sustain its honor unless its citizens have the privilege of navigating the high seas upon terms of equality with every other citizen of the world, under the protection of their own flag. It must carry on its foreign commerce. The savants of the British Navy selected by the Senator from Idaho may say to the United States that it does not need a great fleet because it is far removed from other countries and could defend its shores with a lesser force—and think of the United States accepting that advice!

The opinion of the Committee on Naval Affairs is based upon the proposition that the United States should maintain its national equality among the nations, and they were of the opinion that it could not do that unless it maintained its naval equality. The Committee on Naval Affairs would gladly have the United States join with the other naval powers of the world—and they took pains to set that out in their report—in reducing these forces.

But they laid down the unalterable principle that when we reduce ours theirs must be reduced to an equal degree, and that after they have been reduced the United States shall still be equal with any other nation in the world in that sea power which has controlled its history in the past as it has the destinies of every other nation. It makes no difference whether that power be great or whether it be small, as long as it is equal, and there is nobody, I will say to the Senator from Idaho, who is insisting that the United States proceed to maintain a great and expensive naval force if an agreement can be brought about by which other nations will reduce their forces to the same extent that the United States does; and I think we know as well from a knowledge of human nature as we know from any information which we may have received in regard to naval history or naval strategy that if the United States goes into negotiations with other powers for a limitation of armaments the policy of the United States will receive but very little consideration unless at the time it sits down at the table it has back of its diplomats the power to support them in the position which they assume.

It will be time enough to reduce our force after we get an agreement. I hope we can get it. I do not want to be pessi-

mistic about it, but I would like to hear some suggestion from Great Britain as to whether or not she is willing to reduce her navy to-day by 50 per cent, so that it shall be equal to the Navy of the United States; whether or not Japan—and I only mention Japan by way of illustration, because there is no necessity of any particular animosity between the two countries, and I hope there will not be, but I hope we will be prepared for it if there should be—I would like to hear from Japan if she is ready to stop the process of her naval construction, so that it shall remain the same that it is now, in case the United States will agree to reduce its Navy to a strength equal to that of Japan. When we have arrived at those agreements it will be time enough to stop the naval construction program or to agree to its permanent abandonment, and not before.

Mr. BORAH. Mr. President, I perfectly agree with the Senator, and that is what I would like to hear, both from Great Britain and Japan, and in a humble way I initiated a program for the purpose of finding that out. But we were advised by the same people who are in favor of a great Navy that we should not hurry the matter, and should postpone it for the future consideration of the incoming administration. So it has been postponed, so far at least.

In order that there may be no doubt of Admiral Fisher's statement in regard to this subject, on the 12th day of September, 1919, he wrote:

Air fighting dominates the future war both by land and sea. It is not my business to discuss the land, but by sea the only way to avoid the air is to get under the water. That is why I keep emphasizing that the whole navy as we have it now has to be scrapped.

Mr. POINDEXTER. It seems to me that the Senator is dealing in speculation and hypothesis, just as one of his authorities was when he asked the question, What would have happened at the battle off the coast of South America if Von Spee had submerged his ships? Nobody knows what would have happened if he had submerged his ships, but he did not submerge them; he could not submerge them, and he could not submerge them to-day if the same occurrence took place.

Mr. BORAH. I was not reading speculation; I was reading the opinion of Lord Fisher.

Mr. POINDEXTER. That is speculation. It is pure speculation for a man to ask what would have happened if the German fleet in the battle off the coast of South America, or at the battle of the Falkland Islands, when the German fleet was sunk, had submerged.

Mr. BORAH. But the question was, What did Lord Fisher say? I am simply stating what he did say. Whether the Senator thinks it is worth while to consider it or not is another question.

Mr. POINDEXTER. I am not questioning the propriety of submitting it, but I claim the same privilege of commenting on it that the Senator claims of introducing it.

In the speech of the First Lord of the British Admiralty, who, under the British form of government, corresponds to a

sort of combination between the Secretary of the Navy and Congress, while maintaining the necessity of a line of battleships, he does not close his eyes to the opportunity for progress and for invention and the possibility of complete change, but he very truly says that we can not deal with probabilities and with hypotheses when it comes to a defense of the nation. We have to deal with conditions as they are known, with means of warfare which are now understood. He said in his speech that—

The time may come when these very battleships—

It seems to me rather fantastic, but it shows the vision they have contrary to the idea that they are closing their eyes to all possibilities of improvement—

when battleships, instead of riding the surface of the sea, will go under the surface or rise into the air.

That time may come. I do not know whether it will or not. He makes that suggestion, but it will probably be a long time in coming, and it would be quite ridiculous for the United States to build its Navy upon the theory that battleships are going to be under the surface or in the air in the present stage of naval science.

In the investigation which the resolution of the Senator from Idaho directed the committee to make, Admiral Fiske, who is an inventor, and Admiral Sims, who is one of the most progressive authorities in the American Navy, admitted that even the launching of torpedoes from aircraft, while they claimed it has passed the experimental stage, was not by any means perfected.

I may say to the Senator, and I think it is not disclosing any secret that ought not to be disclosed, that the American Navy at the present time is constantly carrying on experiments for the improvement of its aerial naval defense, the launching of torpedoes from aircraft, and that they are meeting with a great many difficulties in doing the things which the Senator says ought to be substituted for battleships. I only mention that to show that they agree with the Senator from Idaho, and they agree with the witnesses whose evidence he has submitted, as to the importance of this arm.

It is suggested to me just now that the Navy General Board's report to the Navy was unanimous, and that the Committee on Naval Affairs, with the possible exception of the Senator from Utah [Mr. KING], was unanimous.

I call attention to the fact that Great Britain is making one of the greatest expenditures she ever made in her history upon her navy, and that Japan is carrying on the greatest construction program which she has ever carried on.

I should like to insert in the Record at this point a statement of the present and prospective naval forces of Japan, Great Britain, and the United States, and have it incorporated as a part of my remarks.

The VICE PRESIDENT. Without objection, it is so ordered. The matter referred to is as follows:

BATTLESHIPS AND CRUISERS AT PRESENT.

United States.	Great Britain.	Japan.
First line battleships..... 16	First line battleships..... 26	Battleships..... 6
Battle cruisers..... None.	Battle cruisers..... 6	Battle cruisers..... 4
Total..... 16	Total..... 32	Total..... 10

BATTLESHIPS AND CRUISERS IN 1923.

Battleships (first line)..... 21	Battleships (first line)..... 22	Battleships..... 8
Battle cruisers..... 6	Battle cruisers..... 6	Battle cruisers..... 4
Total..... 27	Total..... 28	Total..... 12

BATTLESHIPS AND CRUISERS WHEN THE FINAL PROGRAM IS COMPLETED IN 1927.

Battleships (first line)..... 21	Battleships (first line)..... 22	Battleships..... 12
Battle cruisers..... 6	Battle cruisers..... 6	Battle cruisers..... 12
Total..... 27	Total..... 28	Total..... 24

STATEMENT OF ENTIRE NAVAL FIGHTING SHIPS AT PRESENT UNDER CONSTRUCTION AND AUTHORIZED.

Battleships:	Battleships:	Battleships:
First-line..... 16	First-line..... 26	First-line..... 6
Second-line..... 16	Second-line..... 20	Second-line..... 4
Under construction and authorized..... 11	Under construction and authorized..... 0	Under construction and authorized..... 7
Total..... 43	Total..... 46	Total..... 17

STATEMENT OF ENTIRE NAVAL FIGHTING SHIPS AT PRESENT UNDER CONSTRUCTION AND AUTHORIZED—Continued.

United States.	Great Britain.	Japan.
Battle cruisers:	Battle cruisers:	Battle cruisers:
On hand..... 0	On hand..... 0	On hand..... 4
Under construction and authorized..... 6	First-line..... 6	Under construction and authorized..... 8
	Second-line..... 4	
	Under construction and authorized..... 0	
Total..... 6	Total..... 10	Total..... 12
Light cruisers:	Light cruisers:	Light cruisers:
First-line..... 0	First-line..... 44	On hand..... 8
On hand..... 0	Second-line..... 24	Under construction and authorized..... 11 or 12
Under construction and authorized..... 10		
Second-line..... 3		
Total..... 13	Total..... 68	
	Under construction and authorized..... 0	
	First-line..... 5	
	Grand total..... 73	Making a grand total of..... 19 or 20
Submarines:	Submarines:	Submarines:
First line..... 52	First line..... 71	On hand..... 13
Second line..... 44	Second line..... 66	Under construction and authorized..... 50
Fleet submarines..... 2	Fleet submarines—	
	First line..... 18	
	Second line..... 7	
Total..... 98	Total..... 162	
Under construction and authorized:	Under construction and authorized:	
First-line submarines..... 142	Fleet submarines..... 18	
Fleet submarines..... 4		
Grand total..... 144	Total..... 180	Total..... 63

¹ This does not include the submarines that are not under construction and not appropriated for.

NOTE.—Second-line battleships should not be counted in the line strength, because they are all under 12-inch batteries and slow in speed.

Mr. SWANSON. Mr. President, I am not going to address the Senate on what should be the naval policy of the United States. This matter will properly come before the Senate when the naval appropriation bill is before us and the question of appropriations for naval construction is being discussed. At that time it will be a live and practical question, and we can vote at the conclusion of the debate. At that time I shall desire to address the Senate upon the question, but at present I wish only to call the attention of the Senator from Idaho [Mr. BORAH] to one provision of the naval act of 1916.

I was acting chairman of the committee at that time and had charge of the bill when it was before the Senate. The Senator seems to have forgotten that there was a provision in that bill which authorized the President, at any time when agreement was made for disarmament, to stop the entire program or any part of it, since the question really is whether it should be stopped before or after an agreement is reached. The President can stop it at any time under the provisions contained in the act of 1916, which the committee reported and which was amended and made more imperative by an amendment offered on the floor at that time.

Mr. BORAH. I am perfectly familiar with that provision, and one of the arguments made by the Senator from Washington [Mr. POINDEXTER] is that we can not stop it, because contracts have been let, and it would not make any difference how many authorizations there were.

Mr. SWANSON. The President has authority to consider the contracts, to what extent loss would be entailed on the Government of the United States, to what extent the material could be used otherwise, and he is authorized, whenever an agreement is made, to suspend the entire program, or any part of it.

Mr. BORAH. Yes; I understand that.

Mr. SMITH of Georgia. Mr. President, I am very earnestly in sympathy with the desire to cease expending money on the Navy, but it has occurred to me that perhaps we are placing an unjust burden on Great Britain to maintain a navy 40 per cent larger than ours. Our navies, of course, will always co-operate—at least I hope so—and keep the ocean free and preserve the rights of all countries. A very happy thought has occurred to me on the subject. I am pleased with it myself even if it does not please anyone else. The British Navy is 40 per cent larger than ours. That is placing an unjust burden on Great Britain in this joint tariff that we are to carry.

The happy thought is that this excess of 40 per cent be divided in two and one-half of it be turned over to the United States and credited on the British indebtedness to the United States and thereafter we jointly carry the responsibility and neither of us build any more warships for some time to come.

Mr. McKELLAR. Mr. President, any discussion of the relative size and power of the British Navy leads to the thought that whatever difference of views we may have upon it, we are

now actually contributing in aiding Great Britain to build a larger navy than she has even at present. I think that we are wasting time when we are talking about England's design on the seas. We might as well make up our minds that we have to meet that situation. She is going to continue not only maintaining her present navy but she is going to add to it, and the unfortunate part of it is that we are helping her by postponing the interest payments upon debts that Great Britain owes us now. The payment of those debts should not be postponed, in my judgment. In order that the record may be kept clear, it will be recalled that last fall I called attention to those debts and the postponement of the payment of interest on them. I wish to insert in the RECORD an article, a part of which I desire to read, that was printed yesterday in the Washington Times by the International News Service:

BRITAIN SEEKS TIME ON DEBT—GEDDES, UPON RETURN, WILL ENDEAVOR TO FUND LOAN INTO LONG-TERM PAYMENTS.

[By W. H. Atkins, International News Service.]

Sir Auckland Geddes, the British ambassador, will soon return to Washington from London empowered by his Government to enter upon negotiations with this Government for funding the English debt of \$5,000,000,000 to this country into long-time obligations, according to well-informed officials of Washington to-day.

WILL RESUME PARLEY.

Rebuffed in all attempts to cancel the huge debt, and with the British mind entirely disabused of the idea that either considerations of "peace or generosity" will alter the stand of this Government, officials were informed the spokesmen for England will resume the parley very early in the term of President-elect Harding.

Although the advices reaching here are meager, since Ambassador Geddes was hurriedly summoned to London, and the trip here of Lord Robert Chalmers, financial envoy, was indefinitely postponed, the cable reports showing the British attitude convince officials of an early resumption of the parleys over the big debt.

While higher officials most conversant with what transpired concerning the overtures made by Great Britain on wiping out the debt as an act of broad benevolence upon this Government's part refuse to discuss publicly the official statements and admissions emanating from London, enough has been divulged to establish the fact that proposed cancellation of the British debt stands at present definitely and finally rejected, and Britain realizes it.

HOUSTON WON'T FIGURE.

Secretary of the Treasury Houston, chief negotiator for this Government in the English debt matter, is soon to retire and will not figure in the conferences when they are resumed. Houston, while said to possess in black and white most illuminating evidence upon the British effort to cancel payment of the debt which was so gladly arranged and acquiesced in by the British, declines to be drawn into any discussion of the question.

The view of the officials who are closest students of the problem is to-day that the debt problem is linked up closely with the tariff and other domestic problems, which are to press immediately for settlement soon after the new administration assumes power.

Many fiscal officers regard the tariff question perhaps as uppermost. Leading economists agree with officials here that the bulk of the foreign debt must be settled in goods sent to America if it is settled at all. Legislative barriers to heavier imports, they assert, would be fraught with danger to the debt settlement.

Mr. McKELLAR. In that connection, I also wish to add an article which was printed a few days ago, in which a number

of excerpts from editorials of various London newspapers in reference to the debt were published. I shall read one of them, and ask that the others may be incorporated in the Record.

The PRESIDING OFFICER (Mr. SPENCER in the chair). Without objection, permission is granted.

Mr. McKELLAR. The London Morning Post, in commenting on the address of Austen Chamberlain, says:

This country, an essential element of whose national policy is maintenance of most cordial relations with America, does not intend to allow them to become imperiled by indefinite postponement of the repayment of its debt to the United States. The nation would regard any suggestion relative to remission of this debt as derogatory to national honor.

The articles referred to are as follows:

Referring to recent suggestions regarding the transfer of a British colony to the United States, the newspaper said: "That expedient is out of the question. The British people would never countenance it, and the sooner the Government takes the requisite steps to fund the American debt the better. Regarding the debts owed to Great Britain, their cancellation would confer the greatest possible benefit upon Europe and would prove the highest possible service to civilization."

MUST WIPE OUT OLD SCORES.

The Daily Mail, commenting on Chancellor Chamberlain's utterances, says that more than one overture in this respect has been made. It declares that in 1919 John M. Keynes, while representing the treasury on the economic council, is understood to have discussed the matter freely with American representatives.

"The existence of the immense war debts," the Daily Mail continues, "means that at any moment somewhere in Europe it may pay the government of a day to make repudiation a plank in its platform. There is, of course, no such danger in England, but sooner or later the Allies must meet and wipe out old scores."

In its editorial on the subject the London Times asserts that well informed quarters here have long understood that during the war the British Government suggested to the United States that it should substitute itself for Great Britain as direct creditor of France and Italy with respect to sums Great Britain borrowed from America and lent to the two allies, but that the suggestion was rejected.

RECALLS VANDERLIP TESTIMONY.

The newspaper recalls that Frank A. Vanderlip, before the Foreign Relations Committee of the Senate, in June, 1919, proposed remission of the loans to France and England, but neither then nor since, says the Times, was the idea favorably received.

"We shall not go back on our word," it continues. "We are a nation of shopkeepers, and commercial interest as well as commercial honor forbids us to discredit our papers. Payments of both the capital and interest ought to have been concluded long ago."

Regarding the Allies' debts to Great Britain, the Times declares there can be no talk of remitting any part of them until full arrangements are made for the repayment of Great Britain's own debt to America.

"We shall pay fully and promptly," it says, "on whatever reasonable terms are proposed to us."

Mr. McKELLAR. Mr. President, I merely wish to say in reference to these articles and as to the debts owed to the United States, that I believe England has at last become convinced that the United States is not going to remit the debts or the interest thereon. It was very regrettable to me that our officials in the beginning did not do what they were directed by Congress to do and fund these enormous debts into long-time loans, just as is now provided by law. They needed no new law then; they need none now. They have been very remiss in their duty in not collecting the interest upon this indebtedness as it fell due from time to time.

Mr. SMITH of Georgia. Mr. President—

Mr. McKELLAR. I will yield to the Senator in just a moment.

It would save the American people \$500,000,000 a year in taxes if our officials would simply do their duty. I am very earnestly hopeful that under the new administration the officers charged by law with transacting these business relations will speedily perform their duties under the law, so that the American people may be permitted to have a lesser taxation when the interest on these debts is paid. Now I yield to the Senator from Georgia.

Mr. SMITH of Georgia. I only wanted the Senator to allow me to emphasize what he has just said. The original act providing for these loans expressly stated that the loans were to be evidenced by obligations bearing rates of interest as large as the bonds we issued in order to get the money for them, and falling due at least not further off than the obligations we issued. The whole theory was that we were using our credit; but they were to meet the obligations that we issued to obtain the money for them, giving us at once their obligations covering it.

Mr. McKELLAR. The statement of the Senator from Georgia is absolutely correct.

I merely wish to add one other thought. The Senator from Idaho [Mr. BORAH] seems to think that Great Britain is not going to build capital ships in the future, but is going to devote her time and money to building submarines. That may be so; I do not know what character of ships she is going to build; they may be submarines and they may be capital ships; they may be a different kind of ship; but what we may depend upon in this country is that she is going to continue her naval

building program. The remarkable part of it is that we are remitting the interest on these debts, and by failing to take advantage of the opportunity are enabling Great Britain to build up a larger navy, which may in the future be to our detriment. We do not know; I hope never any difference may come between us, but it is our duty on this side of the water to protect our own rights and our own people first. The debts ought to be collected. When I say the debts ought to be collected, I do not mean that our contract ought to be interfered with at all, but we ought to secure from Great Britain long-time bonds and collect the interest.

Mr. SMITH of Georgia. I desire to ask the Senator from Tennessee if it does not occur to him that the suggestion I made would be a happy one; that instead of the United States and Great Britain each building great quantities of additional vessels we equalize our navies, stop building, and relieve Great Britain of her debt to that extent?

Mr. McKELLAR. Before I should be willing to consent to such an arrangement as that I should want to be absolutely sure that we got good ships in the exchange. We would want first to examine them ourselves.

Mr. SMITH of Georgia. Undoubtedly.

Mr. KING. May I inquire of the Senator having charge of the bill whether it is his purpose to ask that the Senate now take a recess?

Mr. WARREN. I am not ready to move a recess now until we can make a little more progress with the appropriation bill. There are some items which are very small, of which we can speedily dispose. A little later on I shall move a recess.

Mr. KING. Let us have a recess now.

Mr. WARREN. Not yet.

Mr. KING. Mr. President, as the Senator from Wyoming has not acceded to my request, I shall occupy a moment of the time of the Senate.

Mr. President, I have listened to a portion of the admirable address of the Senator from Idaho [Mr. BORAH] and to the very strong address delivered by the Senator from Washington [Mr. POINDEXTER]. It is not my purpose now to take up the question of our naval program. I only wish to state that I am a member of the Naval Affairs Committee, but the report which was submitted by that committee and which has been discussed very extensively this afternoon does not command my support. I shall at a very early date submit minority views. Upon that occasion I shall give my idea as to what I conceive to be the duty of our country at the present time.

I believe that we are making a mistake in continuing the naval building program as it was devised in 1916. I think that the psychology of it internationally will be bad. When the nations of the world which are seeking disarmament and responding to the stimulus for disarmament and world peace see that the most powerful nation in the world, the one that holds primacy, financially and otherwise, is building such an enormous navy, it will abate the desire and the determination for world disarmament, and it will develop the thought that America has imperialistic ambitions. If we want disarmament and world peace we should set the example; and the best example is to seek disarmament and not to increase our naval armament and military establishment. I think that the policy announced by the majority report is fallacious; I think it is unwise, and will have a bad effect in securing what we all hoped would be secured when the League of Nations covenant was before us, namely, a rational and feasible plan for world disarmament.

Mr. POMERENE. Has the report to which the Senator has referred been printed?

Mr. KING. The majority report has been printed; but I have not had an opportunity until a few moments ago to glance at it even hastily.

LEGISLATIVE, EXECUTIVE, AND JUDICIAL APPROPRIATIONS.

The Senate, as in Committee of the Whole, resumed the consideration of the bill (H. R. 15543) making appropriations for the legislative, executive, and judicial expenses of the Government for the fiscal year ending June 30, 1922, and for other purposes.

The reading of the bill was resumed.

The next amendment of the Committee on Appropriations was, on page 59, line 19, to insert the following proviso:

Provided, That within 30 days after the approval of this act the Secretary of War shall transfer without payment therefor to the Secretary of the Treasury for use of the Treasury Department three light motor trucks.

The PRESIDING OFFICER. Without objection, the amendment is agreed to.

Mr. UNDERWOOD. Mr. President, I have no objection to the amendment being agreed to, but I wish to ask the chair-

man of the committee if he desires to proceed further with the bill to-night?

Mr. WARREN. I should be glad to go on for a few pages more at least, unless the Senator has something else which he desires to have done. There are a number of amendments of slight importance which could be disposed of.

Mr. UNDERWOOD. Very well.

Mr. KING. Mr. President, I wish to inquire of the Senator with respect to the policy of transferring motor trucks. Do I understand that the amendment has been passed over?

The PRESIDING OFFICER. The amendment was agreed to without objection.

Mr. KING. I did not understand that it was agreed to.

Mr. WARREN. To what item does the Senator refer—to the motor-truck item?

Mr. KING. Yes.

Mr. WARREN. Does the Senator wish it to go over?

Mr. KING. I understood it was to go over.

The PRESIDING OFFICER. Does the Senator object to the amendment?

Mr. KING. I shall not ask that the amendment go over, but I desire to ask the Senator a question concerning it. Has the Senator considered the wisdom of transferring motor trucks from the War Department to other governmental agencies? Does not the Senator think that it would be better to order them sold and have some sort of an accounting of cash received and cash disbursed? If the motor vehicles are transferred in this way and there is no cash item and no sale, the demand for transfer to the various departments will increase until the trucks will all be absorbed in that way.

Mr. WARREN. Mr. President, the Senate committee has considered that subject and it is only allowing the transfer of a limited number which the Government would have to buy if we did not allow the transfer. The War Department now has a large number of motor trucks and cars which are doing no service; in fact, many of them are lying idle unsheltered and are of course rapidly deteriorating. We have bought in the last few years many motor cars and trucks and shall continue to do so unless provision is made for the transfer of some of the vehicles which the War Department has to other departments of the Government.

Mr. KING. Mr. President, I have not made myself clear. I agree that we have too many motor trucks; they ought to have been sold over a year and a half ago; the War Department has been derelict in its failure to make disposition of them; but if we permit other departments to come here and ask for motor trucks and transfer them when we have such an enormous stock the appetite for motor trucks will become so great that soon every little clerk, perhaps, will want a car, and, in view of the fact that the Government has thousands of them and that no money need be expended in their purchase, it will tend to waste and extravagance. I think we ought to sell them and then purchase those that are needed—purchase them at auction if necessary.

Mr. WARREN. Mr. President, let me submit a statement to the distinguished Senator from Utah. He must have confidence enough in the Committee on Appropriations to know that its members are not going to allow the riddling of property in that way. On the other hand, I direct the Senator's attention to the fact that, whether he was a party to it or not, hundreds—I do not know but that the number reached thousands—of many kinds of motor cars and trucks have been transferred by the War Department to other departments under bills, such as the Post Office appropriation bill and the Agricultural appropriation bill, for road building and other purposes. The Appropriations Committee had no control of the matter in those instances. We did, however, at one time attempt to control it.

A few years ago, at a time when I was not chairman of the Committee on Appropriations, I submitted an amendment, which was adopted, providing that all motor cars and trucks acquired from the War Department should be purchased by other departments. Some other committee, however, a short time thereafter succeeded in having that provision of the law repealed, and left it as it was before. As it is, I am satisfied that we shall save just that much money which we would otherwise spend if we transfer these motor cars and trucks for actual use, keeping strictly to the line and disposing only of those that are really not necessary for the uses of the War Department.

The PRESIDING OFFICER. Without objection, the amendment is agreed to.

The reading of the bill was resumed.

The next amendment of the Committee on Appropriations was, on page 60, line 8, to strike out "\$25,000" and insert "\$24,000," so as to read:

For purchase of gas, electric current for lighting and power purposes, gas and electric light fixtures, electric light wiring and material, candles, candlesticks, droplights and tubing, gas burners, gas torches, globes, lanterns, and wicks, \$24,000.

The amendment was agreed to.

The next amendment was, on page 60, line 20, to strike out "\$300" and insert "\$500," so as to read:

Street car fares not exceeding \$500.

The amendment was agreed to.

The next amendment was, on page 64, line 7, to reduce the appropriation for expenses of assessing and collecting the internal-revenue taxes from \$30,000,000 to \$29,600,000.

The amendment was agreed to.

The next amendment was, on page 65, line 18, to increase the appropriation for expenses to enforce the provisions of the national prohibition act from \$7,100,000 to \$7,500,000.

The amendment was agreed to.

The next amendment was, on page 65, line 21, after the words "District of Columbia," to insert "if space can not be assigned by the Public Buildings Commission in other buildings under the control of that commission," so as to make the proviso read:

Provided, That not to exceed \$49,500 of the foregoing sum shall be expended for rental of quarters in the District of Columbia if space can not be assigned by the Public Buildings Commission in other buildings under the control of that commission.

The amendment was agreed to.

The next amendment was, on page 67, after line 5, to strike out:

New Orleans, La., mint: Assayer in charge, who shall also perform the duties of melter, \$2,500; assistant assayer, \$1,500; chief clerk, who shall perform the duties of cashier, \$1,500; in all, \$5,500.
For wages of workmen and other employees, \$6,250.
For incidental and contingent expenses, \$2,000.

Mr. WARREN. Mr. President, I ask that that amendment, being lines 6 to 11 on page 67, go over without action.

Mr. GAY. Mr. President, will the Senator from Wyoming yield?

The PRESIDING OFFICER. Does the Senator from Wyoming yield to the Senator from Louisiana?

Mr. WARREN. I do.

Mr. GAY. Will not the Senator agree to have that item remain in the bill? It is an item of great importance.

Mr. WARREN. I did not notice the Senator in his place. While I am satisfied that there is very little work there to be done, I am not disposed to cavil on it.

Mr. GAY. I thank the Senator, because it is a matter in which we feel a great interest. It is the only assay office in our section.

Mr. WARREN. If the Senator will ask to have the committee amendment rejected, I shall not object.

Mr. GAY. I ask that that be done.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the committee.

The amendment was rejected.

The next amendment was, on page 69, after line 1, to insert:

Deadwood, S. Dak., assay office: Assayer in charge, who shall also perform the duties of melter, \$1,800; assistant assayer, \$1,200; clerk, \$1,000; in all, \$4,000.
For wages of workmen and other employees, \$2,000.
For incidental and contingent expenses, \$1,200.

The amendment was agreed to.

The next amendment was, on page 70, line 18, in the items for Office of Secretary of War, strike out "\$10,000" and insert "\$5,000," so as to read "Assistant Secretary, \$5,000"; and on page 71, line 9, to reduce the total of the appropriation from "\$151,880" to "\$146,880."

The amendment was agreed to.

The next amendment was, on page 72, line 16, to increase the appropriation for additional employees in the office of the Judge Advocate General from "\$20,000" to "\$30,000."

Mr. KING. Mr. President, does the Senator think that there should be additional employees in any of these offices?

Mr. WARREN. Mr. President, it would seem that it would be very necessary where they have had provisions made during war times, either through appropriations in this bill or in others. We are trying to clean up those that we are not appropriating for in the Army appropriation bill and in this bill; but this particular office, and one other that we shall come to soon, have to be provided for, and an apparent increase has to be made here.

For instance, take the Quartermaster General. What will appear here to be \$200,000 or so added is a matter of saving about \$500,000 heretofore appropriated in the Army bill, and we have an agreement there that they will appropriate nothing this year for that purpose. This is of the same general char-

acter. The Judge-Advocate General's Department had \$49,000 last year.

Mr. SMOOT: It is a consolidation of appropriations. They had \$49,000 last year for this very purpose.

Mr. KING. My investigation of some time ago was to the effect that in all of those departments—the Quartermaster General's, The Adjutant General's, and others—there were entirely too many employees; and I feel that the time had now come, two years after the war, when we ought to separate from the service a large number of those who are in these offices.

Mr. WARREN. We are doing exactly that. For instance, there was \$3,000,000 in a lump sum last year that could be allocated to the different offices from that sum. That is cut out entirely. Then there was, and there is yet, about \$10,000,000 standing toward transportation, and so forth, accounts, out of which they would be paying five or six different lines of service which have since been turned over to the Quartermaster Corps. The Quartermaster General has handled it; but in order to facilitate his work, and cut out some 200 or 300 clerks, we have provided here what he is to have. He gets nothing from that allocation that I spoke of as credited last year.

The PRESIDING OFFICER. The question is on agreeing to the amendment.

The amendment was agreed to.

The next amendment of the Committee on Appropriations was, on page 74, line 19, to increase the appropriation for additional employees in the office of the Quartermaster General from "\$250,000" to "\$543,140."

Mr. KING. Mr. President, I wish to inquire the reason for that increase.

Mr. WARREN. That is exactly what I have stated.

Mr. KING. Is that one of the items embraced in the Senator's statement?

Mr. WARREN. That is the exact item. This officer last year had \$250,000,000 in a lump sum, and then had over \$500,000 from another source, which would have amounted to some seven hundred and odd thousand dollars, and we have reduced it to five hundred and forty-three thousand and some hundred dollars.

Mr. KING. Can it not be reduced a little bit more?

Mr. WARREN. We got down to the very limit.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the committee.

The amendment was agreed to.

The next amendment of the Committee on Appropriations was, on page 74, line 21, after the word "except," to strike out "1 at \$2,400" and insert "1 at \$4,000, 2 at \$3,000 each, 2 at \$2,400 each, 1 at \$2,250, and 5 at \$2,000 each," so as to read:

For additional employees in the office of the Quartermaster General, \$543,140: *Provided*, That no person shall be employed hereunder at a rate of compensation exceeding \$1,800 per annum, except 1 at \$4,000, 2 at \$3,000 each, 2 at \$2,400 each, 1 at \$2,250, and 5 at \$2,000 each.

The amendment was agreed to.

The next amendment was, on page 75, line 13, after "\$5,000," to insert "1 at \$3,000," so as to read:

Office of Chief of Finance: For employees in the office of the Chief of Finance, \$325,000: *Provided*, That no person shall be employed hereunder at a rate of compensation exceeding \$1,800 per annum, except the following: One at \$5,000, 1 at \$3,000, 2 at \$2,750 each, 1 at \$2,400, 1 at \$2,250, 4 at \$2,000 each; auditors for Red Cross accounts—1, \$3,500, 1, \$3,000; 4 at \$2,750 each.

The amendment was agreed to.

The next amendment was, on page 75, line 18, in the items for "Office of Surgeon General," to strike out "chemist, \$2,100; assistant chemist, \$1,000," and on page 76, line 3, to reduce the total of the appropriation from "\$182,860" to "\$179,160."

Mr. WARREN. Mr. President, I want to state for the benefit of the Senator from Utah and others that there is one of the heads of a Government department who came to us and asked for nothing in the way of increase, and asked us to cut out those two employees. I refer to the Surgeon General of the Army.

Mr. KING. He deserves a medal.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the committee.

The amendment was agreed to.

The next amendment was, on page 78, line 15, to insert the following proviso:

Provided, That nothing contained in this act or any other act shall be construed as precluding the detail upon duties of a technical or military nature of not to exceed eight warrant officers or enlisted men of the Coast Artillery Corps in the office of the Chief of Coast Artillery.

Mr. McKELLAR. Mr. President, will the chairman of the committee state what that means?

Mr. SMOOT. Mr. President, I will say that all it means is this: Unless this provision goes in there, we shall have to pay eight employees in the office of the Chief of Coast Artillery.

The amendment provides, however, that we can have those officers detailed.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the committee.

The amendment was agreed to.

The next amendment was, on page 78, line 25, to insert "except one at \$3,000 and one at \$2,000," so as to read:

Office of Chief of Chemical Warfare Service: For employees in the office of the Chief of the Chemical Warfare Service, \$24,000: *Provided*, That no person shall be employed hereunder at a rate of compensation exceeding \$1,800 per annum except one at \$3,000 and one at \$2,000.

The amendment was agreed to.

The next amendment was, on page 80, line 22, after the words "the sum of," to strike out "\$81,960" and insert "\$68,300," and in line 24, before the word "shall," to strike out "\$54,640" and insert "\$68,600," so as to read:

Of the foregoing amounts appropriated under public buildings and grounds, the sum of \$68,300 shall be paid out of the revenues of the District of Columbia and \$68,600 shall be paid from the Treasury of the United States.

The amendment was agreed to.

The next amendment was, on page 83, line 11, to insert the following proviso:

Provided, That the Secretary of War is authorized and directed to transfer without cost to the Superintendent of the State, War, and Navy Department Buildings one passenger-carrying automobile.

The amendment was agreed to.

The next amendment was, on page 84, line 20, after the word "buildings," to insert:

And the Council of National Defense Building, located on D Street between Seventeenth and Eighteenth Streets NW., and the Corcoran Court Building, located on New York Avenue between Seventeenth and Eighteenth Streets NW. And whenever the Public Buildings Commission determines that any of the Government-owned temporary office buildings in the District of Columbia should not be retained by the United States for office or other purposes, the department, bureau, or commission having charge of the maintenance of said building or buildings is hereby authorized to remove said building or buildings, upon approval of the President, either by sale or otherwise, as may be to the best interests of the United States: *Provided*, That the provisions contained herein shall not apply to the Potomac Park office buildings south of B Street north and west of Seventeenth Street west.

So as to read:

The commission in charge of the State, War, and Navy Department buildings is authorized to remove, by sale or otherwise as may be to the best interests of the United States, units A and B of the Mall group of temporary office buildings and the Council of National Defense Building, located on D Street between Seventeenth and Eighteenth Streets NW., and the Corcoran Court Building, located on New York Avenue between Seventeenth and Eighteenth Streets NW. And whenever the Public Buildings Commission determines that any of the Government-owned temporary office buildings in the District of Columbia should not be retained by the United States for office or other purposes, the department, bureau, or commission having charge of the maintenance of said building or buildings is hereby authorized to remove said building or buildings, upon approval of the President, either by sale or otherwise, as may be to the best interests of the United States: *Provided*, That the provisions contained herein shall not apply to the Potomac Park office buildings south of B Street north and west of Seventeenth Street west.

Mr. SMOOT. Mr. President, that committee amendment ought to be rejected, now that the Council of National Defense has been stricken from the bill.

Mr. McKELLAR. Yes; after it has been stricken from the other bill.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the committee.

The amendment was rejected.

Mr. SMOOT. Mr. President, just a moment. There may be another building in this amendment. I think we were too hasty in our action.

The PRESIDING OFFICER. The entire amendment was stricken out, instead of the first five lines.

Mr. McKELLAR. My motion was just to strike out down to the period after "northwest" on line 1, page 85. I think the other matter refers to a different subject.

The PRESIDING OFFICER. Without objection, the vote whereby the committee amendment was rejected will be reconsidered. It is now reconsidered.

The ASSISTANT SECRETARY. It is proposed to strike out all after the word "northwest," on line 1, page 85, down to and including line 12.

Mr. SMOOT. No; this amendment is not the one I thought it was. The whole thing ought to stay in, and I will tell the Senator why.

Mr. McKELLAR. May I ask that this amendment may go over until to-morrow, and let me look into it? I see that it refers to something else that I have been examining into, and I should like to look at it until to-morrow.

Mr. SMOOT. It may go over; but I want to say to the Senator that the first part of it, which reads—

The commission in charge of the State, War, and Navy Department buildings is authorized to remove, by sale or otherwise as may be to the best interests of the United States, units A and B of the Mall

group of temporary office buildings and the Council of National Defense Building, located on D Street between Seventeenth and Eighteenth Streets NW., and the Corcoran Court Building, located on New York Avenue between Seventeenth and Eighteenth Streets NW.

Mr. STERLING. It seems to me that that ought to follow our action the other day in refusing the appropriation.

Mr. SMOOT. Not only that, but the two buildings mentioned here are on privately owned land, and they claim that under the present law they have no power to remove those buildings from that privately owned land. This authorizes their removal.

Mr. McKELLAR. I think the part down to the word "north-west," on line 1 of page 85, ought to remain in the bill; but I should like to have the remainder of that item go over until to-morrow and let me look into it, because that authorizes the Public Buildings Commission, at any time it desires, to tear down any of the Government-owned temporary office buildings in the District of Columbia.

Mr. WARREN. Mr. President, if I am allowed to say so, I do not know any reason why our striking out the Council of National Defense prevents disposing of the building.

Mr. McKELLAR. I say I agree to that. I think that ought to remain in the bill.

Mr. WARREN. That should not go out.

Mr. McKELLAR. I think so. I think that ought to stay in the bill.

Mr. WARREN. On the other hand, we are up to this proposition: Either we shall have to make longer leases, because the time has expired or we shall have to remove the buildings.

Mr. McKELLAR. I see that a statement has been made in reference to that, and that was my statement in part; but as to the remainder of the amendment, which reads:

And whenever the Public Buildings Commission determines that any of the Government-owned temporary office buildings in the District of Columbia should not be retained by the United States for office or other purposes the department, bureau, or commission having charge of the maintenance of said building or buildings is hereby authorized to remove said building or buildings, upon approval of the President, either by sale or otherwise, as may be to the best interests of the United States: *Provided*, That the provisions contained herein shall not apply to the Potomac Park office buildings south of B Street north and west of Seventeenth Street west—

I hope the Senator will let that go over until to-morrow.

Mr. WARREN. If the Senator desires it, that may go over. Of course, on general principles, if we do not make some such provision whenever we want to tear down some of those buildings that are under expense for watchmen and policemen and all of that we would have to come to Congress for it; but we shall pass that over.

Mr. McKELLAR. Yes; I understand what is intended. On the other hand, we are paying enormous sums in rent.

Mr. SMOOT. Let it go over until to-morrow.

Mr. McKELLAR. I may agree to it, but I want it to go over.

Mr. SMOOT. I can divide it to-morrow.

The PRESIDING OFFICER. Without objection, the amendment will be passed over.

The reading of the bill was resumed.

The next amendment was, on page 106, line 6, in the items for Indian Office, before the words "of class 2," to strike out "thirty-four" and insert "thirty-eight"; in the same line, before the words "of class 1," to strike out "sixty" and insert "sixty-eight"; in line 7, before the words "at \$1,000 each," to strike out "thirty" and insert "thirty-two"; in line 9, before the word "messenger," to insert "2 at \$720 each"; in the same line, before the words "assistant messengers," to strike out "two" and insert "four"; and in line 10 to change the total of the appropriation from "\$300,710" to "\$320,790," so as to make the paragraph read:

Indian Office: Commissioner, \$5,000; assistant commissioner, \$3,500; chief clerk, \$2,750; financial clerk, \$2,250; chiefs of divisions—1 \$2,250, 1 \$2,000; law clerk, \$2,000; assistant chief of division, \$2,000; private secretary, \$1,800; examiner of irrigation accounts, \$1,800; draftsmen—1 \$1,400, 1 \$1,200; clerks—20 of class 4, 31 of class 3, 2 at \$1,500 each, 38 of class 2, 68 of class 1 (including 1 stenographer), 32 at \$1,000 each (including 1 stenographer), 34 at \$900 each, 2 at \$720 each; messenger; 4 assistant messengers; 4 messenger boys, at \$420 each; in all, \$320,790.

The amendment was agreed to.

The next amendment was, on page 106, line 22, in the items for the Pension Office, after the words "deputy disbursing clerk," to strike out "\$2,500" and insert "\$2,750"; and, on page 107, line 3, to increase the total of the appropriation from "\$1,174,670" to "\$1,174,920."

The amendment was agreed to.

The next amendment was, on page 109, line 16, after the words "foreign Governments," to insert "production of foreign patent drawings," so as to read:

For producing copies of weekly issue of drawings of patents and designs; reproduction of copies of drawings and specifications of exhausted patents, designs, trade-marks, and other papers; expense of transporting publications of patents issued by the Patent Office to for-

eign Governments; production of foreign patent drawings; photo prints of pending application drawings; and photostat supplies and dry mounts; \$280,000.

The amendment was agreed to.

The reading was continued to line 9, on page 114.

GOOD ROADS.

Mr. SWANSON. Mr. President, I desire to offer an amendment to the Post Office appropriation bill. A few days ago a bill passed the House of Representatives making an appropriation of \$100,000,000 for continuance during the fiscal year ending June 30, 1922, of the present appropriation for the improvement of roads.

I am apprehensive that the bill can not pass as a separate measure, because I do not believe anything will pass, except the appropriation bills, at this short session of Congress. It is of the utmost importance that this policy should be continued. A great many legislatures meet the coming summer and next fall, and consequently without action by Congress the States will not know what policy to pursue in connection with those improvements. Therefore I offer the amendment to the Post Office appropriation bill.

Thinking possibly it might be subject to a point of order, as it contains some additional legislation, I desire to give notice that under Rule XL, I will move to suspend paragraph 3 of Rule XVI, in order that I may propose to the bill (H. R. 15441) making appropriations for the service of the Post Office Department for the fiscal year ending June 30, 1922, and for other purposes, the following amendment, being the House bill which I have indicated.

Mr. THOMAS. I should like to ask the Senator what amount of appropriation his amendment carries?

Mr. SWANSON. It continues the present policy of \$100,000,000 a year.

Mr. THOMAS. Can the Senator state how much of the previous appropriation is still unexpended?

Mr. SWANSON. All of it is practically under contract. I think there is about \$200,000,000, but most of it is under contract.

Mr. THOMAS. Only \$200,000,000? Then the Senator proposes, although \$200,000,000 heretofore appropriated has not been expended but is under contract, to appropriate \$100,000,000 additional, in view of the present condition of the Treasury?

Mr. SMOOT. The Senator should be very thankful it is not more than that is asked.

Mr. THOMAS. I presume it will be more.

Mr. SWANSON. All of it has not been expended; but, as I said, the contracts have been let by which the States will have furnished two or three times as much as the Federal Government, but by 1922 the entire money appropriated will have been utilized by the States furnishing their pro rata part. The entire policy would be discontinued on the 30th of June, 1921, unless this appropriation were made.

Mr. THOMAS. Then it will probably discontinue, because it will not be made.

RECESS.

Mr. WARREN. Mr. President, we have made a pretty long day of it, and I move that the Senate take a recess until to-morrow at 11 o'clock.

The motion was agreed to; and (at 5 o'clock and 45 minutes p. m.) the Senate took a recess until to-morrow, Saturday, February 12, 1921, at 11 o'clock a. m.

HOUSE OF REPRESENTATIVES.

FRIDAY, February 11, 1921.

The House met at 11 o'clock a. m.

The Rev. James Shera Montgomery, D. D., pastor of Calvary Methodist Episcopal Church, Washington, D. C., offered the following prayer:

Our Heavenly Father, we still live in Thy remembrance. Therefore, accept our renewed pledge of gratitude. To-day give encouragement to all men who labor and guidance to those who are in perplexity, and may we know with growing emphasis that Truth's errands can not fail, and all good work is immortal. Through Jesus Christ, our Lord. Amen.

The Journal of the proceedings of yesterday was read and approved.

NAVAL APPROPRIATION BILL.

Mr. MONDELL. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the state of the Union for the further consideration of the bill H. R. 15973, the naval appropriation bill.

Mr. McCLINTIC. Mr. Speaker, pending that motion, I think we ought to have a quorum present. I make the point of order that there is no quorum present.

The SPEAKER. The gentleman from Oklahoma makes the point of order that there is no quorum present. Evidently there is not.

Mr. MONDELL. Mr. Speaker, I move a call of the House.

The motion was agreed to.

The SPEAKER. The Doorkeeper will close the doors, the Sergeant at Arms will notify absentees, and the Clerk will call the roll.

The Clerk called the roll, and the following Members failed to answer to their names:

Anderson	Eagan	Kendall	Riddick
Anthony	Eagle	Kennedy, Iowa	Riordan
Ashbrook	Edmonds	Kennedy, R. I.	Robinson, N. C.
Babka	Ellsworth	Kettner	Rouse
Baer	Emerson	Kless	Rowan
Bankhead	Esch	Kinkaid	Rowe
Barkley	Fairfield	Kitchin	Sanders, Ind.
Bee	Ferris	Lee, Ga.	Sanders, La.
Bell	Flood	Leshner	Sanders, N. Y.
Benson	Focht	Loneragan	Sanford
Bland, Mo.	Gallagher	McDuffie	Scully
Bowers	Gallivan	McFadden	Siegel
Bowling	Gandy	McGlennan	Sims
Britten	Ganly	McKinley	Slomp
Brumbaugh	Gard	McLane	Small
Caldwell	Goldfogle	Maher	Smith, Idaho
Campbell, Kans.	Goodwin	Mann, S. C.	Smith, N. Y.
Candler	Goodykoontz	Mason	Stearns
Cantrill	Graham, Pa.	Mead	Steele
Caraway	Hamill	Merritt	Stephens, Miss.
Carew	Harrison	Montague	Stiness
Carss	Haugen	Moon	Strong, Pa.
Casey	Hersman	Mooney	Sullivan
Chindblom	Hoey	Morin	Sweet
Clark, Fla.	Holland	Mudd	Thomas
Classon	Howard	Nelson, Wis.	Towner
Costello	Hulings	Nicholls	Vare
Cramton	Hull, Iowa	Nolan	Venable
Curtis, Mich.	Hull, Tenn.	O'Connell	Vestal
Dale	Humphreys	Pell	Volk
Davey	Husted	Perlman	Watkins
Dempsey	Igoe	Radcliffe	Whaley
Denison	Ireland	Rainey, Ala.	Wilson, Ill.
Dent	Jacoway	Rainey, Henry T.	Winslow
Donovan	James, Mich.	Rainey, John W.	Wise
Doolling	Jeffers	Ramsey	Young, Tex.
Doremus	Johnston, N. Y.	Ramseyer	
Doughton	Jones, Pa.	Randall, Calif.	
Drewry	Kahn	Reed, N. Y.	

The SPEAKER. Two hundred and seventy-two Members have answered to their names, a quorum.

Mr. MONDELL. Mr. Speaker, I move to dispense with further proceedings under the call.

The motion was agreed to.

The doors were opened.

Mr. KELLEY of Michigan. Mr. Speaker, I renew the motion made by the gentleman from Wyoming, that the House resolve itself into the Committee of the Whole House on the state of the Union for the further consideration of the naval appropriation bill.

The motion was agreed to.

Accordingly the House resolved itself into the Committee of the Whole House on the state of the Union for the further consideration of the naval appropriation bill, with Mr. WALSH in the chair.

The Clerk reported the title of the bill.

Mr. KELLEY of Michigan. Mr. Chairman, I yield 20 minutes to the gentleman from Illinois [Mr. MADDEN].

Mr. MADDEN. Mr. Chairman, it may seem strange in the midst of the consideration of a great naval program for a Member of the House to divert the attention of Members to another subject. In the few minutes allotted to me I propose to say what I think about the importance of the great Postal Service. It may not be of very much interest to those who sit before me to listen to what I have to say, but I shall endeavor to say what I think about it. The Postal Service is the greatest service in the Government. In time of peace the expenditures for that service are greater than for any other governmental activity. The Postal Service ramifies into every nook and corner of the country and its insular possessions. It extends to the broad oceans of the world. Every hamlet, every mountain peak where Americans are living is reached by this wonderful service, even out to the frozen mountain peaks of Alaska. The Postal Service is the nerve center of public thought in America. It is the artery through which the lifeblood of American thought is carried into every home, and upon whether it is efficiently conducted or inefficiently conducted depends in a large measure the sentiment expressed by the people in respect to the entire Government. Service in this institution is more essential than politics. It makes no difference how much political manipulation the party in control may undertake through the Post Office

Department, if they do not give the people service they will not be approved. It makes no difference how little political manipulation may be practiced by the party in control, if service is given, that will meet the approval of the people. After all, service is the one thing that is essential if the approval of the people is to be expected.

We are spending \$575,000,000 a year in this one activity. This is the board of directors of the American corporation—the Nation. The President of the United States is the executive chief of the corporation. His Cabinet officers are the heads of departments to which are assigned the various functions of Government.

In a private corporation the executive and his heads of departments sit with the board of directors. They formulate the policies. In this corporation that is not so.

Mr. BLANTON. Mr. Chairman, will the gentleman yield for a question right there?

Mr. MADDEN. Yes.

Mr. BLANTON. Is this the gentleman's speech of acceptance.

Mr. MADDEN. In a private corporation it is the business of the board of directors to formulate plans that are to be carried out by the executive chief and to so formulate those plans and have them carried out as to produce dividends. Of course, that can not be expected in the corporation of which we are directors, but we can so conduct the activities of the Government through the action that we may take, if those acts are properly executed, as to in a measure pay what might properly be termed dividends in the way of a reduction of taxes and an improvement of the service.

It is true that a private corporation can be conducted more efficiently than a public institution like a government, because it is the business of every member of the directorate and every executive officer to see that every economy that it is possible to institute and every efficiency that can be inaugurated is put into effect, whereas in a public institution like this many things run at loose ends. What is everybody's business seems to be nobody's business. The Post Office Department, then, is the one great business branch of this Government. The man who presides over this department ought to be a man of the highest business experience; he ought to be a combination of kindness and firmness; he ought to be a disciplinarian; he ought to be a man who knows organization and who will so organize the force under his command as to bring every element into cooperation. We have an army of 300,000 men in this department, the greatest army in any Government activity, not even excepting the Army or the Navy. Every one of those men are civilians. They come into a service technical in its character. They are required to become experts in the line in which they are about to engage. They come in ordinarily with the expectation of giving their lives to the work. If they perform their duties as they ought to perform them, there can be no question about the efficiency of the conduct of this great department. Cooperation and correlation from top to bottom is essential to the success of the enterprise. Every man in this service should consider himself a public servant. That does not merely apply to the man at the bottom, but it should go to the man at the top, and every man from the top to bottom should work in harmony if we are to succeed. There never was a more loyal crowd of men in any activity in the world than the men in this service. They should be given every opportunity to cooperate. They can not be expected to cooperate if there is any indication of discrimination in their treatment. The treatment should be just; discipline, of course, should be enforced. The man at the head of the department should manage and he can so manage as to have the harmony which confidence promotes, and the people of the United States are looking forward to this character of harmony in this great institution, so that they may have the service to which they are entitled.

Service of the kind I have indicated will encourage the people to realize that one of the departments of the Government is functioning for them and if it so functions the work of the department will be reflected in the contented minds of the country. Every man who comes into the service should be made to realize that there is a chance for him, though he may enter at the bottom, to reach the top. Merit should be the sole reason for promotion in the Post Office Department. A record of achievement in whatever place the man may occupy should encourage him to believe that he will be recognized when the opportunity for advancement comes. There should be no favoritism played, no discrimination. To the extent that it can be done without detriment to the service seniority should be reckoned as the prime reason for promotion, but where a man occupies a place and it is known definitely that though he may be senior in his rank if he would not be qualified for an advanced position he ought not to get it. The success of the service should

be paramount, and service can be properly conducted only where all of the elements of merit, ability, and technical knowledge are recognized. We have 300,000 men and women in this department, I said. In the great cities of the country 75 per cent of those people work at night. There is no reason on earth why all this great percentage of all the employees should be called upon to work nights. If a large part of the night work were eliminated from the service, a very much better class of people would apply for positions in the Postal Service. They say that night work is essential for the movement of the mail. To some extent that is true, but there is no reason why the mail of to-day may not slack up for one single day and the work that might be done to-night be done to-morrow, and there would only be one day necessary to transform the scheme by means of which those men could be put into the day service. The business of the department is growing so rapidly nobody can keep track of it. The man at the head must have patience, he must be able to comprehend the new development necessary to conduct this system as a going business institution. I am in favor of civil service to the extent that it can be properly put into effect; and so far as the rank and file go, from the bottom to the top, I want civil service observed strictly, so that men who give their time and determine to devote their lives to the Government service may realize that they are entering upon a life work with the assurance that merit and merit only will be the medium through which they can advance.

Mr. STEVENSON. Will the gentleman yield for a question?
Mr. MADDEN. I will yield.

Mr. STEVENSON. Does the gentleman think it practicable to maintain the rule of civil service as to presidential postmasters that is now in effect?

Mr. MADDEN. We have 11,000 presidential postmasters. They are not under civil service except so far as the order of the President makes them so. The 42,000 fourth-class postmasters are under the civil service law, and I personally am not in favor, I will say frankly, of permitting one President, by Executive order to bind the incoming President as to the method of selecting men for important administrative positions. I believe that examinations should be had to fill all places for presidential postmasterships, and that the man who secures the place should be selected from one of the three highest.

Mr. KEARNS rose.

Mr. MADDEN. But I am in favor of ultimately passing a law to put all under it, and I am in favor of going further than that. I believe that every man in the service ought to have an opportunity to take examinations for postmasterships, and that the examinations should be confined to men in the service who have qualified by their experience and their work. But until the Congress passes a law, I am not in favor of permitting any presidential order to prohibit the incoming administration from selecting its own representatives in the way which it may be determined will produce the best results for the service. But when that is done, I am of the opinion that nobody who is unworthy should be selected under any circumstances for a postmaster's position, and that nobody except a man who is qualified and can prove his qualifications by his examination ought to get the place.

Mr. STEVENSON. Will the gentleman yield for another question?

Mr. MADDEN. Yes.

Mr. STEVENSON. Do I understand, then, that the gentleman is in favor of letting the new administration fill all the presidential offices and then cover them with the civil service, which will protect them, regardless of the administration that comes in thereafter?

Mr. MADDEN. I am in favor of doing exactly what the Democrats did when they came in. [Applause on the Republican side.]

Mr. STEVENSON. Will the gentleman yield?

Mr. MADDEN. I will.

Mr. STEVENSON. That is a very good example to follow, I will say to the gentleman.

Mr. MADDEN. Except that I would go further and make efficiency the standard and service the paramount prerequisite. And I would eliminate politics from the whole service altogether.

Mr. STEVENSON. Will the gentleman yield?

Mr. MADDEN. I will yield to the gentleman.

Mr. STEVENSON. The gentleman has no doubt noticed that in the different post offices in the country, especially the large offices, there has been a good deal of complaint about the promotions among the civil-service employees. I recall that we discovered on our investigation last year one town of about 300,000 people where everybody seemed to be satisfied that they had gotten a square deal from the postmaster in those

promotions; but in another town near by, of almost the same size, everybody seemed to be satisfied that they were discriminated against. Now, is there any way, in the gentleman's mind, whereby that kind of trouble can be avoided?

Mr. MADDEN. Yes. I think it ought to be the duty—and it should be rigidly enforced—of the Postmaster General to see that no postmaster in any city of the United States promotes men for politics or favoritism; that efficiency and merit should be the only standard by which promotion should be gained. [Applause.] Organize the department on this basis and there will be an enthusiasm on the part of the postal workers which will inspire them to work as one man, and the mail will be distributed, handled, dispatched, and transported by a happy and contented army of men and women which will be reflected in every home in the land.

Mr. AYRES. Mr. Chairman, I yield 15 minutes to the gentleman from Texas [Mr. EAGLE].

Mr. EAGLE. Mr. Chairman and gentlemen, I have in mind to speak to you briefly concerning the American citizen whom I regard as probably the greatest naval hero of the war, Lieut. Edouard Victor Isaacs. He was born at Cresco, Iowa, on December 18, 1891; he was appointed to the Naval Academy from the fourth district of Illinois; he graduated from the Naval Academy in 1915 as an ensign.

Lieut. Isaacs has received the medal of honor, with the following citation:

THE SECRETARY OF THE NAVY,
Washington, November 11, 1920.

SIR: In the name of Congress the President of the United States takes pleasure in presenting the medal of honor to Lieut. Edouard V. M. Isaacs, United States Navy, for services above and beyond the call of duty during the World War, as set forth in the following:

CITATION.

"When the U. S. S. *President Lincoln* was attacked and sunk by the German submarine *U-90* on May 21, 1918, Lieut. Isaacs was captured and held as a prisoner on board the *U-90* until the return of the submarine to Germany, when he was confined in a prison camp. During his stay on the *U-90* he obtained information of the movements of German submarines, which was so important that he determined to escape with a view to making this information available to the United States and allied naval authorities. In attempting to carry out this plan he jumped through the window of a rapidly moving train at the imminent risk of death, not only from the nature of the act itself but from the fire of the armed German soldiers who were guarding him. Having been recaptured and reconfined, he made a second and successful attempt to escape, breaking his way through barbed-wire fences and deliberately drawing the fire of the armed guards in the hope of permitting others to escape during the confusion. He made his way through the mountains of southwestern Germany, having only raw vegetables for food, and at the end swam the river Rhine during the night in the immediate vicinity of German sentries."

For the President.

JOSEPHUS DANIELS,
Secretary of the Navy.

After his graduation from the Naval Academy Lieut. Isaacs remained an ensign—being the lowest commissioned officer of the line, and in service on the battleship *Florida*—until our entrance into the World War in 1917, when he was immediately promoted to the rank of lieutenant and later senior lieutenant and assigned to duty on the transport *President Lincoln*. From that time, early in 1917, until his troop ship was sunk, on May 21, 1918, Lieut. Isaacs was continuously acting as senior lieutenant on the *President Lincoln* and in charge of her two "after guns."

Now, my reason for speaking of this worthy young man is that it happens that he was the only officer of the United States Navy who was captured by the Germans, and, with the spirit of a genuine American, and with the ingenuity of a Navy man, he refused to remain captive. He resolved to escape, and he did escape, from the most securely guarded of the German internment camps, and so from the point of view of the Navy he sustained every single one of its aspirations.

In the transportation of troops between the United States and France the *Lincoln*, on the return trip, when 400 miles west of Brest, was torpedoed at 9 o'clock in the morning by three different discharges. In 30 minutes the ship had sunk, with the loss of 3 officers and 23 men, and 700 of our men were left to the mercy of the seas, 400 miles from land. They had a few lifeboats and some rafts. Isaacs got upon a raft. It was the custom of the submarine commander to require the highest officer of a sunken ship to come aboard the submarine. Now, the highest officer of the *President Lincoln* was Capt. Percy Foote, who is now aid to Secretary Daniels, but being a man older in years than Lieut. Isaacs, the latter himself concluded he would pretend that Foote had been lost in order that he, Isaacs, a younger man, might be taken and subjected to imprisonment. So he declined to put off his uniform of an officer and to appear as a private, as he was importuned to do, and he himself got upon the submarine and reported that he supposed his commander was lost. In that way he was taken prisoner. The 700 men remained on their lifeboats and rafts from 9.30

in the forenoon till 11 o'clock at night, when they were rescued by two United States destroyers.

The German submarine remained some two days in that neighborhood and then passed along the west coast of Ireland, then to the north of Scotland, then south into the North Sea, then through the Skagerrack into the Cattegat, then through the sound separating Sweden from Denmark, then into the Baltic, thence to Kiel Harbor, thence through the Kiel Canal to Wilhelmshaven, a journey requiring 12 days. During that time Lieut. Isaacs was treated with consideration, and it was the only time from his capture to his escape, some five months later, when he was treated with any consideration or given food in any degree adequate. During that trip he learned several German naval secrets that were indispensably necessary to the American Navy and the allied navies about the German submarine.

By watching the navigation observations and charts and by remarks made by the submarine officers and crew he had learned, for instance, how the German submarines got from Wilhelmshaven out to sea. He regarded it as indispensably necessary that that should be known to our Navy and to the navies of the Allies. Therefore it was necessary that he should escape in order to communicate that to the Allies and to the American Navy. He had learned, by watching the charts, and the course of the submarine upon which he was a prisoner, another thing, and that was that the zigzag method of the American troopships had become so easy to the Germans that it was no longer efficacious, because that practice of going a certain number of miles at a uniform angle from a base line, and then returning forward to and crossing that base line at the same angle and to the same distance, meant always that they pursued a general base line; and the German submarines, after they had discovered that, instead of wasting a large number of hours and days in intercepting them by pursuing them exactly, came to know that if they would simply run upon the base line and wait ahead for awhile the American troopship would certainly come in that direction. He determined to communicate that fact to the admirals of the American Navy.

At Wilhelmshaven—which was the base of the German high seas fleet—he learned another thing, and that was that the German ships were all tied up and certainly out of the war except the submarines. That fact he desired to communicate. And there was yet another matter of tremendous import that Lieut. Isaacs had learned by June, 1918, and that was that from 2 to 5 German submarines were constantly rendezvoused in the bay off Copenhagen, where others, when ready, also came, and there waited till a German destroyer should come which was cognizant of the position of the shifting German mine fields, and which should be able safely to conduct the submarines through. With such information in his knowledge how his heart must have yearned to communicate it to his superiors in command! And he swore to escape or die trying.

He was kept some days in the naval barracks at Wilhelmshaven, questioned, starved, examined by the chief of staff—who spoke perfect English, having spent 13 years in England—and then was removed to Karlsruhe, in Baden, opposite Switzerland. Later he was removed from Karlsruhe to Villingen. On that journey he attempted to escape, by jumping out of the car window. In doing so he broke the arches of both his feet. He was captured again by his guards. He was beaten by them into insensibility with the butts of their rifles. They struck him with a rifle on the side of his head and made him permanently deaf in his left ear. One of his guards struck him with his gun over the left shoulder, and the shoulder blade was broken and healed without proper medical care, so that it is permanently weak. The starvation he endured for four or five months has broken his entire life except his exalted spirit. So that now, at the age of 29 years, having a wife and two little children, he must, on account of the disabilities he received when he risked his life in the service of his country, in this coming month of May be retired on the pay of a lieutenant, at only \$185 per month.

I shall not be a Member of the next House, and therefore can not be of final service to that worthy man, but I want to call his case to the attention of those who will be here and who will serve in the next Congress. He ought to be promoted to the rank of commander by a special bill, so that when he is retired—as he must retire by order of the Navy for physical disabilities and inefficiency by reason of these wounds—he can retire at \$285 a month, so that he and his wife and children may live in comfort. It is not right and it is not the wish of this mighty Nation for it to enjoy the fruits of that sort of sacrifice and then neglect him because physically he is disqualified for labor again in the Navy. That is the point now, and that is the object of this hasty recital that I am making.

After that they drove him about 5 miles to Villingen. There he stayed for three months. The food was so poor that he lost 30 pounds. One day he analyzed his food and found that it was made up of potato peelings mixed with water and sawdust and sand. They gave him that in the form of black bread every day; that and soup made out of the leaves of trees. He subsisted on that for three months.

Notwithstanding all that, his desire to go back and give out the information he had acquired and his unflinching courage induced him to go farther and effect his escape. In company with a young man from Georgia, another from Texas, and another from Massachusetts he escaped. Two of them got away. He traveled 120 miles from that camp of the Germans until he reached the border at the Rhine opposite Switzerland, although the Rhine was at the nearest place from the starting point only 17 miles away. He avoided bridges and every road, and he traveled only at night. He went through forests and hills and mountains. He subsisted for eight days only on vegetables that he got at night out of the gardens. Bloodhounds were set on his trail repeatedly, and he put pepper in his tracks from time to time in order that the hounds would give up the trail.

Finally he reached the bank of the River Rhine. The bluff at that point was 200 feet high. It was midnight. They had no overcoats, and very poor and thin clothing. It was the 13th day of October, and the frost and cold of a north Europe autumn chilled their exhausted bodies through and through. They had nothing to eat for eight days except what I have indicated. But in that condition, with 30 pounds of weight lost, Isaacs was actuated by the motive of service, the highest motive that ever uplifted human endeavor, and by the unquenchable flame of a patriotism as pure as the light of the stars. They determined to go across that river, and spent from midnight until 2 o'clock in the morning trying to find a way down that precipice—with the measured tread of German sentries audible below. Then Isaacs remembered that they had crossed, about 2 miles back, an ice-cold branch which flowed toward the river.

They made their way back to it. They stripped to the waist. They covered their bodies with mud in order that they might be of the same color as the leaves on the ground. They put upon the back of their necks their little supply of underclothing, which was the only thing they spared themselves, and they went 3 or 4 miles down that little ice-cold stream, immersed entirely except their heads, in that cold water, and finally they came to the Rhine. It was 700 feet across it. It was raging with the torrents of a hundred mountain streams pouring in their swollen icy floods. The Rhine at that point had a tide of 7 miles an hour and was a maelstrom of cataracts, boulders, tides, and eddies; but just across lay Switzerland and safety and service to country! So their brave hearts made the last supreme effort and, exhausted, clung to the west bank till strength came to drag lacerated, weary bodies to the peasant's welcome Swiss cottage. Then our consul in Berne, Switzerland, gave them passports to Paris, and Gen. Pershing promptly sent Lieut. Isaacs to Admiral Sims, and he told him his story; and Admiral Sims and the American Fleet and the allied fleet then knew for the first time of these major points that he communicated to them of the weakness of the German Navy.

If ever there was a hero, Lieut. Edouard Isaacs is one. In personal life as gentle as a woman, yet in spirit of the heroic mold. I do not believe that the American people will be satisfied unless you worthy gentlemen of this House or of the next Congress, which shortly will convene, see to it that a mark of recognition of heroism like that is given to him for his wife and children and his children's children to enjoy, and see to it that he is given his proper rank, so that when he is compelled to retire on account of his disabilities incurred in undergoing these sacrifices he may have at least a simple competence.

Every virtue of private life he exemplifies; every tradition of the Navy he upholds; every sentiment of courage, resolution, and chivalry he ennobles. He is a blessing to his family, a pride to the Navy, and an ornament to his country!

Gentlemen, I thank you. [Loud applause.]

Mr. AYRES. Did the gentleman from Texas consume all of his time?

The CHAIRMAN. The gentleman from Texas yields back one minute.

Mr. AYRES. I yield to the gentleman from Mississippi [Mr. Sisson] 15 minutes.

Mr. SISSON. Mr. Chairman and gentlemen of the committee, this subcommittee has made some very marked reductions in the estimates made by the Navy Department. I believe that

the bill, however, meets all of the real needs of the Navy at this time. In fact, many of the items in the bill are very liberal. I do not believe that this Congress or the American people can afford to permit the estimates of the so-called experts in the Army and the Navy to determine the size of the Army or the Navy, and any criticism that the experts asked for more is no criterion for our guidance. There are some people in Congress and some throughout the country who have great confidence in experts, and who would eliminate the representatives of the people entirely. In my judgment, there is nothing quite so dangerous to follow as an expert. He is always an expensive luxury, not only in private but especially in public life. The Navy people are for a big Navy, and if a man in the Navy did not want a large Navy and was not enthusiastic about the naval program, perhaps he ought not to be there, and the same is true of the Army; but the American Congress should always retain within itself not only theoretically but practically the right and the power to determine the size of the Army and Navy and how much the people should pay, and we ought to let the American people understand that we have yielded none of the power that we have under the Constitution, and that the Congress, and not the so-called experts, shall determine the size of the Army and the size of the Navy. If we do not do this, then the people are helpless, for when we take orders from others or surrender our judgment to others, then to that extent we fail as representatives of the people. Since this debate commenced I have heard on this floor intimations that the committee perhaps have done wrong, because Admiral So-and-so or some expert in the Navy Department has made such-and-such statements. In other words, a sentiment has grown up in the House that we should be bound by the statements made by those gentlemen who represent the departments. I think they are splendid gentlemen. I think they are men of honesty and integrity, but they get to be too enthusiastic; and the trouble is that, being educated at the expense of the Government, they have never been taught to consider the means whereby any matter is accomplished. They simply want to accomplish something and have never considered where the money is coming from. That is the trouble with the Army Engineer.

He may be and usually is an accomplished engineer, but he never gives a thought as to what it is going to cost, and that is natural, because he has always had a client who has had unlimited means, and that client only holds him responsible for the results accomplished by him and not for what it costs. But as the Congress of the United States represents the people and the taxpayers, it is our highest duty to consider the means with which we are going to accomplish these purposes. And for the first time in the history of America we are confronted with the problem of being able to get enough money to pay the expenses of the Government. Now, gentlemen of the committee, I do not know of any way in the world in which you are going to economize unless you cut; and when you cut deep enough to do any good, you have got to cut some nerves and some blood vessels and some bone. But you are not going to be able to accomplish much in the reduction of expenses unless you are willing to cut and cut deep. Somebody in the Government service somewhere has got to practice some self-denial. I take no sort of stock in the idea that the United States Government should respond to all the calls which are made upon it. For example, during the war, for the purpose of taking care of the physical increase in the cost of food which must be purchased by its employees, rather than put increases of salaries on the pay rolls of the Government Congress gave what is now known as a \$240 bonus. That has been going on for some time, but now the newspapers of this city and the employees of the Federal Government are beginning to contend that it is their right to keep the bonus. Why, the very purpose of giving the bonus and putting it in the form of a \$240 bonus was so that it could be eliminated when we got back to peace times.

Gentlemen of the committee, in 15 minutes I can not discuss the matters that are in my mind, but before my time expires I want to call the attention of the committee to the fact that the newspapers of the country for a time sought to destroy the present Secretary of the Navy.

When they were endeavoring to force the Secretary of the Navy to enter into the 10 per cent plus contracts which had been entered into by the Army he declined. They were demanding of him that he enter into 10 per cent plus contracts to buy materials, steel, and other things for the Navy. He declined to do it, and there was a propaganda against him that would have destroyed any man who was not extraordinary. I said to him one day, "Mr. Secretary, you are a good newspaper man. Why don't you answer these things?" He said, "Congressman, if I make good the people will know it, and if I do not make

good my answering it will not do any good, and if I get into a newspaper controversy I will not have time to attend to my duties."

This fact is not known, that Secretary Daniels was always the first man to get to his office in the morning. He would go down to his office between 7.30 and 8 o'clock; he would stay there and eat his lunch and frequently his dinner at his desk, and remain until 10 or 11 o'clock at night in order to get the day's work done; and it was not very long until all the people in the Navy Department realized that the hardest worked man in the Navy was the Secretary himself. This put the right spirit in the whole Navy. During that controversy over the 10 per cent contract Secretary Daniels stood foursquare to all the winds and to all the criticisms. He made mistakes, as he will tell you; but in my judgment, when the history of the Navy shall have been written, when politics shall have passed out of the question, the critics of the Navy Department will find that up until this day, so far as the history of the Navy in the past is concerned, Josephus Daniels has made the best Secretary that the Navy ever had, and he did it by hard work, by faithfulness to duty, and by supreme courage. [Applause.] Why, under the 10 per cent plus contracts the Steel Trust had a contract with the Army under which they paid \$98 a ton for steel. I will not have time to go into details as to how Mr. Daniels accomplished it, but he made a contract with them for \$56 a ton for steel. He did it by ascertaining what it cost to make steel, and after adding a good profit he said, "I will pay you \$56 for steel, and if you do not take it I will commandeer your plants." And the contracts that he made in reference to the construction of the battleships and all the other Navy craft were such that he not only saved millions and millions of dollars to the American people, but the contract was so drawn that it got the necessary speed as well as economy in material. He made the contracts himself for steel.

He made contracts with the labor organizations, all of which were the result of his own experience, and while he made no pretension to being an expert Navy man, he had gathered around himself young, verile, active men, so that when the time came, when the order was given and they were calling upon the Secretary to know when will you be ready to guard the ships and transports across the seas, he said, "Now, sir." There was not a demand on the Navy during that terrible struggle that the answer did not come hot and quickly, "Now, sir."

We transported across the seas over 2,000,000 soldiers, besides many hundred thousand civilians, and, with the exception of the life that was lost off the Irish coast, not a human being was killed by a German submarine. [Applause.] This ship lost opposite the Irish coast was not guarded by our Navy.

I want to tell you that the landlubbers in most of the districts of the United States, in interior Illinois, in interior Mississippi, boys who never saw a wave of the sea and never had been on the high seas, were not so much afraid of the Germans as they feared the dangers of the sea. More than all that, they were ready to face the Germans if they could land safely. Do you know, when the German submarines were plying the Atlantic, we held our hearts in our throats when the first transport left America going to France. What would have been the result, gentlemen of the committee, if that first transport going across had been sunk and the news had gone throughout the United States that the German submarine has sunk a vessel loaded down with American boys? You would have had an enormous amount of trouble getting mothers and fathers to have consented that their sons should cross 3,000 leagues of the sea between here and the shores of France. It was a trying hour, and the question was whether the Navy would be able to perform its duty.

History will repeat the story that the Navy was ready, and while the Navy in one sense of the word did not get the glory and renown that the men in arms did, in an unostentatious way it performed the duty and performed it magnificently, and without this efficiency victory would have been impossible. The American people ought to render thanks that we had such an efficient Navy at this time, because it was through the Navy that the precious lives of the boys were saved and preserved from the German submarines.

So although this criticism may have been hurled against him in the past, history in this country will write him down as the greatest Secretary of the Navy, because we hold men responsible in history for what they have accomplished and what has been accomplished under their administration.

Mr. LAZARO. Will the gentleman yield?

Mr. SISSON. I will.

Mr. LAZARO. I fully agree with the gentleman as to the wonderful result the Navy accomplished. My question is this:

I believe it is thoroughly understood that the future Navy is going to be an oil Navy. Is not that so?

Mr. Sisson. There is a controversy about it; I hope myself that it may be a Navy that will use oil for fuel.

Mr. LAZARO. What is the gentleman's opinion as to the future supply of oil for the Navy?

Mr. Sisson. The oil supply is, of course, at the present time almost unlimited. Nobody knows with any degree of certainty what the oil future will be; I do not know.

The CHAIRMAN. The time of the gentleman from Mississippi has expired.

Mr. KELLEY of Michigan. Mr. Chairman, I yield five minutes to the gentleman from Kansas [Mr. LITTLE].

Mr. LITTLE. Mr. Chairman, the gentleman from Texas [Mr. EAGLE] has eloquently presented the career of the one prisoner taken from our Navy by the Germans during the war. I hope his recommendations will be followed; they ought to be followed. During the year there was a graduate of Annapolis killed at Chateau-Thierry, a marine, and I have introduced a bill to erect a memorial to him at Annapolis, and I hope it will be done.

The story of the Navy bill is always an interesting one. Every time it comes here there occurs to my mind the old story of the Athenians who inquired of the oracle what steps they should take to protect themselves against the Persian hordes. It told them to use the wooden wall. Themistocles interpreted this to be the ships. He was right.

When the *Merrimac* sailed into Hampton Roads and sank the American fleet the wooden walls disappeared from history. Then came the great battleship to dominate the sea. Then came this war, with the submarines to destroy fleets of vessels, and the ironclads became just as obsolete as the wooden wall did at Hampton Roads.

It has always been a curious thing to those of us who are not "experts" to understand just why the Navy and the "experts" adhere to these ironclads. You can take \$40,000,000 and build a great battleship. You can take \$40,000,000 and build 40 submarines. The minute that the battleship knows that one of the submarines is out on the sea looking for it, it scuttles for home and safety. No nation can afford to set up \$40,000,000 worth of war equipment against \$1,000,000 without at least an even break, and, of course, there is no even break. The submarine is so much superior to the battleship that there is nothing left but retreat for the big ships. Therefore, why do we continually adhere to the demands of these experts and continue the construction of these ironclads? What we should do is to modernize our Navy and not fiddle away money, that is hard earned, upon battleships. We should spend it upon submarines, upon destroyers, upon the aircraft that really dominate the seas. Is it possible that these experts, these Bourbons of the Navy, are going to throw this great expense on us forever? Will not they ever find that when once a submarine has chased a \$40,000,000 battleship off the sea, that it is all over—that there is no further purpose in war for the battleship? The mere fact that only one graduate of Annapolis was killed in battle, actually in action in the war, and on land, at that, ought of itself to challenge official attention to the beginning of the end of any such expenditure of money. The mines along the German coast made that coast safe. We can build mines. They just told us a moment ago that when the one prisoner that the Germans secured from our Navy got to Wilhelmshaven he found that the battleships of the Imperial German Government had retired from the war, were bottled up there, and he showed great intelligence and courage in getting away to bring us that information. The Navy got that information, and why do they not assimilate it, why do not the experts take it to heart?

The British Fleet, the most wonderful fleet that ever was placed on the sea, was bottled up in a Scotch port practically throughout all of the war. The only time the great battleships met each other out there in the North Sea both fleets scuttled for home as quickly as they could get started, each thinking that it was being defeated. When the Germans found that the English had not claimed a victory, they hastened to claim one, and when the English found that nothing particular had happened they proceeded to claim the victory. There is no thing so valuable as common sense, and it seems to be the one equipment that the experts very rarely have. [Applause.]

The CHAIRMAN. The time of the gentleman from Kansas has expired.

Mr. AYRES. Mr. Chairman, I yield one minute to the gentleman from Louisiana [Mr. ASWELL].

Mr. ASWELL. Mr. Chairman, in the Belgian Army during the war three heroic soldiers were cited as the most heroic among the Belgians. Two of them died in action. The third, Lieut. Alfred Mathot, while commanding his company, had a

German airplane swoop down upon him and shoot away his arm. Thirty days after that he was back on duty. Representing the King and commander in chief of the army, Lieut. Mathot directed a party of American Congressmen to within 25 yards of the German trenches and had his automobile shot through. That distinguished heroic character, a mere boy of 17 when he joined the army, the only one now living of the three so cited for heroism, is in the gallery of this House, and I think it entirely fitting that he should be presented and given this recognition at this time. [Applause; Members standing.]

The citation is as follows:

CITATION AT THE ORDER OF THE BELGIAN ARMY OF LIEUT. A. M. MATHOT, FIRST GRENADIERS REGIMENT, BELGIAN ARMY.

A young officer having always greatest self-control combined with a high spirit of bravery and absolute self-sacrifice, heroically distinguished himself in the command of an advance post very much exposed in the sector of Neuport. The enemy launched a furious attack on the trenches occupied by his platoon, the attack accompanied by a bombardment of extreme violence. He was seriously wounded in the hand by a bullet shot from one of four airplanes firing on his men from a height of 150 feet. In spite of the loss of blood which greatly weakened him, he rallied his platoon and courageously led a counterattack. A shell exploded and shattered his arm. Carried to a dugout, he did not relinquish his command until after having dictated and sent an alarm message by carrier pigeon to his commanding officer.

His left arm amputated, he aroused universal admiration for his heroic abnegation.

DECORATIONS.

Chevalier de l'Ordre de Leopold (avec palme).

Chevalier de l'Ordre de St. Olaf de Norvege.

Croix de guerre (three citations).

Medaille de la victoire.

Medaille de la commemorative de la campagne 1914-1918.

Mr. Chairman, I ask unanimous consent to revise my remarks in the RECORD.

The CHAIRMAN (Mr. DALLINGER). The gentleman from Louisiana asks unanimous consent to revise and extend his remarks in the RECORD. Is there objection?

Mr. McCLINTIC. Mr. Chairman, he did not ask to extend them; he merely asked to revise them.

The CHAIRMAN. Does the Chair understand the gentleman to object?

Mr. McCLINTIC. He did not ask to extend his remarks; he asked to revise them.

The CHAIRMAN. The gentleman from Louisiana asks unanimous consent to revise his remarks. Is there objection?

There was no objection.

Mr. AYRES. Mr. Chairman, I yield nine minutes to the gentleman from Massachusetts [Mr. TAGUE].

Mr. TAGUE. Mr. Chairman and gentlemen of the committee, it is not my purpose to discuss the merits of this bill at any great length, other than to show to the House that some of the statements made in the record of the hearings are not as they should be, so far as they concern the navy yard in Boston. I realize that one of the hardest tasks of this House falls upon the shoulders of the Committee on Appropriations, and, therefore, what I have to say is in no way a criticism of the committee but rather to let them know that some of the statements made in the hearings are not at all in keeping with the facts.

One of the crying needs of the navy yard in the Boston district is the repair of the piers in that yard. For several years the officials at the navy yard have been asking that something be done in the way of repairs in order to avoid any accident which would endanger the life of the workmen in the yard. This year, more especially than any other, the officials at the Boston Navy Yard have pleaded with the Navy Department, asking that an appropriation be set aside to repair the piers. I notice in the hearings that the chairman of the committee asked Admiral Parks whether or not these repairs could not wait for a while longer, and in the course of his remarks Admiral Parks stated that he thought they could, but further stated that "the commandant of the yard had expressed himself to me rather forcibly, and does not agree with me on that point." The facts are these, and I believe the members of the Committee on Naval Affairs who visited that yard and made an inspection a short while ago will bear me out in what I say: There are 10 piers at the Boston Navy Yard, and of the 10 piers the report made by the man in charge says that 6 are in such condition that it is dangerous at any time even to drive loaded trucks onto the piers, to say nothing of the great carrying cranes which are necessary in order to perform the work. The report says:

If this is not done, we will have the anomaly of a navy yard with complete dry-dock facilities for vessels of any class, shop equipment to carry on work of practically any magnitude, but no piers alongside of which large vessels can lie to have repairs or alterations economically prosecuted.

Coming from that district, I took it upon myself to look over the situation. I have consulted not alone the officers of the yard but also with some of the master workmen, who have veri-

fied the reports made by the officers of the yard. I had hoped that a sum sufficient to do this work would be included in this bill. I am certain that the expenditure at this time would save the Government money and would protect the lives of the workmen. Admiral Parks was questioned about building of ships at the navy yard, and the question asked by the chairman of the committee was:

Mr. KELLEY. Are they building any ships there now?

Admiral Parks replied to that as follows:

Admiral PARKS. I do not think they have any ships under construction there at all.

Mr. Chairman, I can not conceive how any man in authority would make that statement, because to-day not only are they repairing a great number of ships but they have just completed the *Neches*, and the *Pecos* is on the ways and will be launched within a few months. The molds have been made and the steel has been cut, and within three or four months they will lay the keel of another ship, the *Admiral Whitney*.

When the reorganization of the yards took place before the war, the Navy Department decided that the Boston Navy Yard would be used as the great repair yard of the Atlantic coast and for the construction of the smaller ships, such as colliers, hospital ships, and transports, which they are doing and have been doing—not only building them but saving the Government thousands of dollars below the estimated costs, and below the bids submitted by outside corporations.

As an instance, the *Brazos* was built for \$292,000, while the estimates were \$320,000. Her sister ship, the *Neches*, which has been launched, was built for \$253,000, or a saving of \$38,000 over her sister ship. The *Pecos* is about completed, and it will show a saving of more than \$25,000 below the cost of the *Neches*, which shows to my mind the necessity of keeping a force at hand of trained mechanics who can do the work of the Government and have it done in an economical way. Now, another thing which is misleading is the statement of the number of men who worked and of the force that has been reduced at the yard. Upon a question asked by the chairman he was told that in December, 1919, there were about 6,585 men, and in June, 1920, 5,706, showing there had been a reduction of 879 men. The facts are, according to the figures given to me by the Chief Clerk of the Navy Department, that in April, 1917, before the war, there were 4,200 employees; in November, 1918, there were 9,900 employees, and on February 1, 1921, 5,460 men, showing a reduction of 4,440 men. [Applause.]

The CHAIRMAN. The time of the gentleman has expired.

Mr. AYRES. Mr. Chairman, I yield to the gentleman from Tennessee [Mr. Davis] eight minutes. [Applause.]

Mr. DAVIS of Tennessee. Mr. Chairman and gentlemen, to those members of the war investigating committees who still persist in continuing their expensive and useless investigations of how we won the war I respectfully commend the reading of the editorial appearing in the Washington Post on the 5th instant under the title of "America's war record." This editorial is especially significant at this time in view of the close personal and political relationship between President-elect Harding and the proprietor and editor of the Washington Post, who was personally selected by the President elect to act as chairman of the inaugural committee, and by reason of the further fact that the Washington Post, having qualified with a 100 per cent grade in its hatred of President Wilson and its support of the Republican Party, is even now recognized as the "court journal" of the incoming administration.

The editorial in question in part declares:

Charles G. Dawes, who was a brigadier general during the war in charge of the procurement of supplies for the American Expeditionary Forces in France, proved an interesting and rather spectacular witness before the House committee investigating the war.

Mr. Dawes contributed materially to the facts gathered by the committee in its long pursuit of the war trail.

With all the emphasis at his command Mr. Dawes denounced the obvious partisanship which inspired the investigating committee. "Don't forget that it was an American war," he told the members; "not a Republican war or a Democratic war, and the record of the glorious work of our Army will live hundreds of years after your committee is dead and gone, forgotten." In this admonition the witness voiced a sentiment which has grown throughout the country during the past year, for the belief has spread that the investigation was not so much for the purpose of gathering facts which would serve to prevent a repetition of the mistakes of the war as to serve partisan purposes.

Of course, every Member of Congress and all other informed persons have all along known that the purposes of these investigating committees were as stated by Gen. Dawes and thus admitted in said editorial, and, as further indicated, the general public have been rapidly awakening to a realization of that fact. A member of one of these committees said on the floor yesterday that he was not willing to admit that such partisanship had been carried to an extreme. Most of those

Republican politicians and papers who, although fully aware of the purposes of such investigations, yet for political purposes approved same, lost interest immediately after the recent election; but this does not seem to have been sufficient to deter the partisan investigators. However, when these muckraking investigations and persistent efforts to tarnish the glory and besmirch the honor of American arms reach such a nauseating stage that the Washington Post rebels, as it does in this editorial, and when the distinguished chairman of the Committee on Accounts, loyal Republican though he is, states on the floor of this House, as he did yesterday, that these investigations had involved an abominable waste of public money, and that he had not seen any concrete benefit result therefrom, it is certainly time for these investigators to reflect. It is about time for the fact to break in upon them that not only are their purposes generally recognized, but that these investigations have even lost their value as a useful advertising medium; at least, the people should not be required to continue paying for such an expensive personal publicity bureau.

The editorial aforesaid further states:

Candor and fairness compel the admission that the greatest mistake of the war was unpreparedness, and that is a fault chargeable to the American people and not to any party or individual. It is water over the wheel now, and nothing is to be gained by enlarging upon the subject, but the truth is that the people of this country, not desiring war and not expecting it, failed to take the steps which wisdom dictated should have been taken against the possibility of war.

Mr. KING. Will the gentleman yield?

Mr. DAVIS of Tennessee. I have not the time to yield now. If I get through in time I will be glad to yield. This editorial proceeds:

Considering the immensity and complexity of the task before them, the individuals who organized the United States for war did very well, indeed. The Army itself, once organized, accomplished glorious results. The transportation of the Army overseas was a splendid feat, quite beyond the imagination of the enemy, and constituting the decisive factor of the struggle. Without the United States reinforcements the war probably would have gone against the Allies. The best-informed spokesmen among the Allies are authority for this statement: First, in getting the troops across; and, second, in the actual delivery of strokes against the enemy, the United States decided the issue. Nothing succeeds like success; and the fact that success was accompanied by extravagance, waste, and mistakes and minor lapses of all kinds does not obscure the glory of victory.

Not only do "the best-informed spokesmen among the Allies" concede the decisive part played by the United States in winning the war, but it is equally conceded by the highest German authorities. In fact, as reliable an authority as Princess Bentinck, a niece of Count Bentinck, in whose castle at Amerongen ex-Kaiser Wilhelm has been domiciled since the war, in a recently published article states that the ex-Kaiser himself bitterly blames President Wilson for the fact that he—the Kaiser—had been dethroned; this belief doubtless being connected with the fact that Mr. Wilson was President of the country and Commander in Chief of the Army and Navy which contributed so materially toward the defeat of Prussian arms and the overthrow of the Hohenzollern dynasty as well as President Wilson's masterly method of impressing the German people that our fight was not with them, but with Prussianism and Kaiserism. This same belief found concrete and forceful expression in this country in the recent election, when millions of Germans voted to defeat the party which they held responsible for the defeat of Germany and the dethronement of the German Kaiser.

The editorial under discussion concludes as follows:

Gen. Dawes is right. The record of the American Army during the war will endure for centuries and the memory of the mistakes will fade. The people of the United States, in our opinion, do not criticize the present administration for the errors committed during the war. The public resentment was directed against the mistakes of peacemaking not the mistakes of war making. If a peace as successful as the victory had been accomplished the United States would have retained the admiration of the world, which it gained by its exploits during the war.

Gen. Dawes is an eminent and loyal Republican. He was seriously considered for Secretary of the Treasury in President Harding's Cabinet that it was widely published that he had probably been slated for that post. As the Washington Post says, "Gen. Dawes is right." Almost without regard to political complexion the newspapers and public generally have applauded the testimony of Gen. Dawes. The position taken by him and the views now expressed by the Washington Post are identical with the position all along taken by the Democrats in Congress and out, and stated by them during the recent campaign, although in striking contrast with the position taken at that time by the partisan Republican press and spellbinders.

Let us for a moment revert to the concluding words of said editorial:

If a peace as successful as the victory had been accomplished, the United States would have retained the admiration of the world, which it gained by its exploits during the war.

The conclusion stated by the Post in this regard is fully as correct as are its statements about the conduct of the war. The realization of this fact is likewise rapidly spreading, and the time will inevitably arrive when President Wilson and the Democratic Party will be fully vindicated in the eyes of America and the world in their earnest efforts to accomplish a successful peace in keeping with our success of arms. Time will tell those who do not already know that those responsible for the defeat of successful peacemaking were the enemies of peacemaking and not its friends. [Applause.]

Mr. KING. Will the gentleman now yield?

The CHAIRMAN. The time of the gentleman has expired.

Mr. KING. Has it entirely expired?

The CHAIRMAN. Yes.

Mr. KING. Very well.

Mr. AYRES. May I ask the chairman of the subcommittee—

Mr. KELLEY of Michigan. I have only one more speech, and I reserve that—

Mr. AYRES. I have only one on this side. How much time have I remaining?

The CHAIRMAN. The gentleman has 18 minutes remaining.

Mr. AYRES. I yield that time to the gentleman from South Carolina [Mr. BYRNES].

The CHAIRMAN. The gentleman from South Carolina is recognized for 18 minutes.

Mr. BYRNES of South Carolina. Mr. Chairman and gentlemen of the committee, I make no pretense of being a naval expert. The only information I have about the details of the Navy Department is the information I have secured from time to time during the last Congress as a member of the subcommittee on deficiencies. I am no longer a member of the subcommittee on deficiencies. As a member of the naval subcommittee I have listened with the greatest interest to the representatives of the various bureaus of the departments presenting their estimates, and I have come to the conclusion that in this bill we have a bill which provides for an effective Navy at the least possible cost to the taxpayers of America. Some gentlemen have seen fit to criticize not the bill, but the manner in which it was prepared. My good friend from Illinois [Mr. WILLIAMS] said that he thought it an excellent bill, but objected to the manner in which it was prepared. My idea is that the people of America will insist on having an effective Navy at the least possible cost, and they care not who prepares the bill. Other gentlemen go further. They charge that the Appropriations Committee failed to consider the bill as it should have been considered in the opinion of these gentlemen. The fact is that throughout the hearings on this bill the gentleman from Michigan [Mr. KELLEY] has treated the minority members with the greatest courtesy, consulting them at all times as to every vital principle of the bill, as to every important appropriation, and the subcommittee was unanimous in reporting this bill. The whole committee, after considering it and after discussion and one or two motions to change provisions of the bill, unanimously reported it. The gentleman from Illinois [Mr. BREITEN], unlike his colleague [Mr. WILLIAMS], criticizes not only the manner in which the bill is prepared, but criticizes the bill itself upon its merits. He says that it does not provide sufficient appropriations to adequately provide for the Navy. The gentleman from New York [Mr. HICKS], another member of the Committee on Naval Affairs, regards the appropriations as not sufficient. My good friend from Tennessee [Mr. PADGETT] joins the chorus and says practically that there is no service in the entire Navy for which we have appropriated a sufficient sum of money. The only conclusion that the House can reach is that their objection is that by reason of this bill being reported from the Appropriations Committee it appropriates a much smaller amount than would have been appropriated had it been reported from the Naval Committee. Well, we admit it.

It was our purpose to reduce it, for unless this Congress, two years after the war, should come in here with a bill appropriating less money than was provided during the war and the year after the war, we should be driven out of public life. [Applause.] The war is over and we must let the Army and the Navy Departments know that it is over and that we must take at least some steps toward a reduction in our expenditures.

Mr. SUMNERS of Texas. Will the gentleman yield for a brief question?

Mr. BYRNES of South Carolina. Not now, but at the end of my statement, if I can. What does my friend from New York [Mr. HICKS] say? He says that this report is misleading in that it gives the total amount that is chargeable to aviation. It is the most remarkable complaint I have ever heard in my

life. He says we should have compared it with the figures contained in the report made by the Naval Committee in the last Congress, which did not give the total amount chargeable to aviation services. We accept the full responsibility. When the officials of the department came before the committee we told them to prepare a statement giving to the House the total amount which was chargeable to aviation, so that when we reported to the House we could say to you, "Here is every dollar that is spent for aviation," and not come in here and tell the House we are spending one-half the amount that we are actually spending on aviation.

And my good friend from Tennessee [Mr. PADGETT] does not like the report. I love my good friend from Tennessee, but he made a most remarkable speech yesterday. He says the report is misleading, and he took about 20 minutes and about a page of the RECORD to tell you that the figures are all wrong. Why? Because he says the table in this report does not include the deficiencies that were appropriated for in the bill that passed the House yesterday.

Now, take the first column of this table. I hope some of you have it before you. Look at it. It says "Appropriations for 1921 in the naval, deficiency, and other acts," other acts, not bills. This report is not a stump speech. It is a report to the House for the information of the House, and the heading to that column has appeared in every table that has been presented to you in reports accompanying appropriation bills, and it purports to tell the House the exact amount appropriated for the current year. And that statement is right—absolutely right. But the gentleman says if we had put in the deficiencies for this year it would have shown that there was a greater reduction in the appropriation. Had we included in this column representing the amount appropriated in acts any amount contained in the deficiency bill which has not become an act, it would have been misleading.

My good friend from Tennessee has always been a great admirer of Secretary Daniels. He has always relied upon him for information as to the Navy Department, but for some reason that I do not know he says that when this bill was reported, instead of going to Secretary Daniels he went to the heads of the various bureaus of the Navy Department and asked them what the effect of these reduced appropriations would be on their respective bureaus.

And, of course, they all said in unison that it would absolutely destroy them. But we must make due allowance for the enthusiasm of a bureau chief as to the importance of his particular work. They said last year that if we did not give them \$679,000,000 they could not function. We gave them only \$500,000,000 and they have functioned. I wish that my good friend had consulted Secretary Daniels, who would apply the common sense of a civilian to the requests of the bureau chiefs, determining the relative importance of the activities of the various bureaus, and he never would have made the statement.

Now, what does he say? He says that Gen. Lejeune states that we did not provide for clothing here for the Marines, only enough for one-half of the number. We have a statement in the hearings from Gen. McCawley, of the Marine Corps, who is in charge of the reserve stock. We asked him how much clothing he had on hand. If you will look through the table inserted by him in the hearings you will find he has on hand coats, summer, field, that will last 29 months from December 1, 1920; woolen drawers that will last 44 months; woolen shirts that will last 45 months. His supply of clothing in the item of which he has the smallest stock—belts and woolen socks—will last for 14 months from December 31, 1920, so that as to many items of clothing they now have enough to last for the next fiscal year. As to every item they have enough to last at least six months.

I suspect the truth is that the clothing factory in Philadelphia can not run at full time unless they manufacture more clothing. But it is our business to cause them to reduce the expenditures there, as long as we have this large stock of clothing on hand.

My good friend says that we have not appropriated enough to feed the boys. That gets close to us, because nobody wants to appropriate less than enough to feed the boys. He says that we have reduced the ration down to 50 cents, while it was 68 cents last year. That is true.

The ration is 68 cents, but in 1918 it was only 48 cents and in 1919 it was only 55 cents. The 68 cents now is due in part to the fact that the provisions being used were purchased during the war at high prices. But the cost of provisions is coming down. And let me tell you this, that for the Army you appropriated only 42 cents, and this is the greatest margin that has been made in all the history of the two departments. The ration

for the Navy must be higher, but you are by this bill asked to appropriate 50 cents for the Navy, and it is as great a margin, in fact, greater than was ever made before in behalf of the Navy.

Now, the gentleman from Tennessee says that the enlisted men have been reduced to such an extent that we can not keep enough ships in commission. When you determine the enlisted men in this naval bill you determine one of the fundamentals in the bill, the other being the amount of new construction. We to-day have 135,000 men in the Navy. The gentleman from Tennessee says you have got to allow 3,500 for the Hospital Corps and for 5,000 in the training schools of the country during the next year. We have 135,000 men, and we are going to make them reduce the personnel to 100,000. In reducing it you can very well see we are going to have no recruits unless it be in the last two or three months of the year, and therefore are not going to have those training schools running, and that there is no use of counting on 5,000 men being sent to the training schools. He says that the assignment to special services will reduce the number available for ships to 86,500 men. Well, Admiral Coontz says if given 100,000 men he will assign only 75,000 to ships. The British Navy to-day has 105,000 men. They keep in commission 20 battleships as against the 17 that Admiral Coontz proposes to keep. If they with 105,000 can keep 20 battleships in commission, the American Navy with 100,000 should be able to keep 17 in commission. They have 125 destroyers in commission, but we figure this year on keeping only 100 destroyers. The only difference is in the submarines. They keep 41 submarines in commission and we intend to keep in commission 103.

My good friend from Tennessee quotes from Admiral Washington to intimate that we are about to ruin the Navy by reducing the personnel to 100,000 men. Admiral Washington is not Chief of Operations. Admiral Coontz is. And what does he say? Turn to page 65 of the hearings, and there you will see that he says that with 75,000 men he is going to keep in commission 384 ships.

Now, how about the British Navy? Great Britain has a great many more ships to-day than we have, and yet she has only 283 ships in full commission and 18 with reduced complement, making the total number of British ships in commission 301. Admiral Coontz, the Chief of Operations, says that with the 100,000 men he will keep in commission 384 ships, or 83 more than Great Britain has in commission to-day. If Great Britain, with so many more ships than we have, is satisfied with having only 301 in commission, I do not see why it is necessary for us to keep a larger percentage than will be possible under this bill. Instead of taking Admiral Washington's statement, I quote from Admiral Coontz. And let me read what Secretary Daniels says in reference to the reduction to 100,000 men:

However, we can keep in commission all of the late dreadnaughts, half of the destroyers, others of the best ships, and place the other destroyers in a reserve state, enough to keep them from deterioration; and by close economy all along the line we can run the Navy in a way to keep the latest ships manned by 100,000 men.

When this was read to my good friend from Tennessee yesterday, he said: "Yes; but the men actually in charge of these matters say they want more." Of course they do; but if we are going to appropriate all that the heads of the various bureaus want, no treasury on earth would be able to satisfy the demands.

Now, as to steam engineering, my friend from Tennessee read a letter from Admiral Griffin, I think it was, to the effect that the appropriation was not sufficient for steam engineering. They asked for \$2,500,000 for new tools. During the war we bought \$250,000,000 worth of tools, and if they have not thrown them away, they ought to be able to get along with what they have without asking for \$2,500,000 more. In reducing this estimate we thought the reduction of the cost of materials and the reduction in the cost of labor during the next year would make it possible. The rate of wages in these yards is fixed in accordance with the prevailing standard of wages for like labor in the neighborhood, and the cost of labor, as well as the cost of other things, is coming down, because only a few days ago a petition signed by 10,000 men in the employ of the New York Shipbuilding Co. at Camden stated that the men agreed to accept a 20 per cent reduction in wages if we should appropriate sufficient money to carry on that work. If there is a reduction in the prevailing wage, it will be followed by a reduction in the cost of construction, enabling us to reduce the appropriation to \$20,000,000.

Then, my friend from Tennessee read a statement from the admiral in charge of armament, and he said we would be absolutely ruined because we did not appropriate enough for new construction. Now, as to new construction, what is the situation? We are providing for new construction \$90,000,000,

but they are going to have a balance on hand of \$15,000,000, which will make available \$105,000,000 for new construction during the next fiscal year. This officer says he will have to make adjustments with the contractors, because of this reduction from his estimates, I presume because they will not be able to run their full organizations. What he means is this, that with lessened private work the contractors will want to put all of their organizations on Uncle Sam's work, and failing in this will claim damages. They may make a claim, but I venture to say they will not receive any damages from the United States Government on a claim of that kind. The fact is, we have appropriated more for new construction for the next fiscal year than we have spent for new construction this year. We have paid on account of new construction 60 per cent of the total cost and should complete the 1916 program, but there is no necessity for completing this 1916 program in two years. Disarmament schemes are proposed. I hope the President will call a conference for the purpose, but until there is an agreement between the nations we can not disarm. This program has now progressed so far toward completion that it is cheaper to complete than to cancel. [Applause.]

The CHAIRMAN. The time of the gentleman from South Carolina has expired.

Mr. KELLEY of Michigan. Mr. Chairman, I yield the balance of my time to the gentleman from Wyoming [Mr. MONDELL].

The CHAIRMAN. The gentleman from Wyoming is recognized for 10 minutes.

Mr. MONDELL. Mr. Chairman, I want to congratulate the committee on this bill. Some gentlemen have a disposition to inquire into the matter of its genesis and drafting and initial consideration, but after all the proof of the pudding is yet to be found in the eating of it, and not in the consideration or discussion of the merits of the cooks. What we are interested in primarily is the legislation, not the manner of its preparation.

We are laboring under some difficulties in the preparation of all of the appropriation bills. We have adopted budget reform in the House, and have not, in conjunction with that, the benefit of Executive budget reform, so that swollen estimates must be considered by newly organized subcommittees without the aid that eventually will come to our appropriating committees as we build up the corps of experts under the Executive budget, whose business it will be to inform the committees of Congress of the facts of expenditures made or contemplated from a legislative viewpoint, as those representing the bureaus and departments will represent them from a departmental and executive viewpoint; and naturally in this situation everything is not as all of us might wish it to be.

Nevertheless, and notwithstanding these handicaps, I think all admit that the bills so far reported, so far as their character and substance are concerned, have been well drafted, carefully considered, and drawn with due regard for economy. Whose fault is it, if there be any fault, that just at this time and under the new dispensation some of the items are subject to points of order? Is it the fault of the new and enlarged committee? Not at all. If there be any fault—and I do not say that there is any—it is the fault of the committees that heretofore have had these bills in charge, which committees have legislative authority and could have made every item on their bills proof against a point of order; but they have not seen fit to do so, and so these committees—Indian, Foreign Relations, Army, and Navy—have year after year been coming before the House with bills subject, some of them, to innumerable points of order, and the House has been very fair and reasonable with them.

Where these items were commendable, where they conformed to the judgment of the House and were believed to be proper and right and reasonable, the House has allowed them to go into the bill and to remain in the bill, notwithstanding the fact that they were subject to points of order. Now, I am inclined to think that at least the members of the old committees who have lost their appropriating authority are under obligations to be as fair to the new committee as the House was to the old.

Mr. HAYDEN. Will the gentleman yield?

Mr. MONDELL. I have only 10 minutes. I am sorry I have not more time. We anticipate that in the new Congress the legislative committees will draft and present for the consideration of the Congress bills covering the activities of the departments over which they have jurisdiction. When that is done those bills will be promptly considered, and when the Congress has considered them and has passed judgment upon the limitations of the authority of the appropriating committees, then it will not only be proper, but it will be the duty of every one of

us to make points of order when the appropriating committee exceeds the authority that the House has given it. But until we have had time to do that, it does not seem to me that it is kindly or reasonable or of good report or justifiable for members of committees that have not heretofore protected their bills against points of order to make points of order now against the very language which they have carried on their bills year after year without protest from the House.

Mr. BRITTEN. Will the gentleman yield for a question?

Mr. MONDELL. If I have time.

Mr. BRITTEN. Does the majority leader of the House desire Members of the House to follow the rules which he and others have put through, or does he desire them to ignore the rules which he and others have put through?

Mr. MONDELL. Every Member of the House must be guided by his own sense of that which is right and proper under his oath; but I have said as a matter of opinion—gentlemen, of course, are not obliged to agree with my opinion—I have said and I believe that in the situation in which we now find ourselves, members of the committees that have not heretofore protected their bills from points of order should be the last to raise points of order against items that have been in the bills year after year, and which the House in its good judgment and out of its sense of fairness has allowed to remain in the bills. I say to these gentlemen that no one will be more active than I shall be, so far as my influence may go, in insisting in the new Congress that the legislative committees shall assert their jurisdiction and that the House shall pass upon their measures; and having passed upon them, that the appropriating committees shall remain within the limitations that have been fixed. One gentleman, who yesterday gave warning that he would make points of order against every item in this bill that was subject to a point of order, suggested that if that was done the item would then go to the Naval Committee. The gentleman is not accurate. If he will stop to think about it, he will see that that will not be the result at all. If the item is subject to a point of order—and in my opinion there are very few items in this bill that are, because the bill follows exactly the phraseology of the bill for years past; but if an item went out on a point of order, an item on which we are all agreed—and we are all agreed, practically, on the items of this bill—it would not go to the Naval Committee. It would simply be placed back in the bill in another body, and then the House would be called upon to determine by a vote whether or not the item was one which should remain in the bill.

The CHAIRMAN. The time of the gentleman from Wyoming has expired. All time has expired. The Clerk will read the bill for amendment under the 5-minute rule.

The Clerk, proceeding with the reading of the bill, read as follows:

PAY, MISCELLANEOUS.

For commissions and interest; transportation of funds; exchange; mileage to officers of the Navy and Naval Reserve Force while traveling under orders in the United States, and for actual personal expenses of officers of the Navy and Naval Reserve Force while traveling abroad under orders, and for traveling expenses of civilian employees, and for mileage at 5 cents per mile to midshipmen entering the Naval Academy while proceeding from their homes to the Naval Academy for examination and appointment as midshipmen; for actual traveling expenses of female nurses; actual expenses of officers while on shore patrol duty; hire of launches or other small boats in Asiatic waters; for rent of buildings and offices not in navy yards; expenses of court-martial, prisoners and prisons, and courts of inquiry, boards of inspection, examining boards, with clerks, and witnesses' fees, and traveling expenses and costs; expenses of naval defense districts; stationery and recording; religious books; newspapers and periodicals for the naval service; all advertising for the Navy Department and its bureaus (except advertising for recruits for the Bureau of Navigation); copying; ferriage; tolls; costs of suits; commissions, warrants, diplomas, and discharges; relief of vessels in distress; recovery of valuables from shipwrecks; quarantine expenses; reports; professional investigation; cost of special instruction at home and abroad, including maintenance of students and attachés; information from abroad and at home, and the collection and classification thereof; all charges pertaining to the Navy Department and its bureaus for ice for the cooling of drinking water on shore (except at naval hospitals), and not to exceed \$250,000 for telephone rentals and tolls, telegrams, and cablegrams; postage, foreign and domestic, and post-office box rentals; and other necessary and incidental expenses: *Provided further*, That the sum to be paid out of this appropriation, under the direction of the Secretary of the Navy, for clerical, inspection, and messenger service in navy yards and naval stations, for the fiscal year ending June 30, 1922, shall not exceed \$750,000, and for necessary expenses for the interned persons and prisoners of war under the jurisdiction of the Navy Department, including funeral expenses for such interned persons or prisoners of war as may die while under such jurisdiction, and for payment of claims for damages under naval act approved July 11, 1919; in all, \$3,500,000.

Mr. BLANTON. Mr. Chairman, I reserve a point of order, in order to ask the gentleman from Illinois a question.

Mr. BRITTEN. I reserve a point of order.

The CHAIRMAN. The gentleman from Texas and the gentleman from Illinois reserve points of order on the paragraph.

Mr. BLANTON. I should like to ask the gentleman from Illinois a question. I do not intend to interfere in any way with the purposes and intentions of the gentleman from Illinois. I do not want to conflict with him in any way. I know that he is not a man easily intimidated, but I want to know whether or not the squelching speech made by the majority leader [Mr. MONDELL] has in any way intimidated the gentleman, so as to prevent him from carrying out his purposes and intentions?

Mr. BRITTEN. I presume it has, quite materially.

Mr. BLANTON. Then I will be on the watch to help my friend.

Mr. BRITTEN. I am afraid that my actions from now on will indicate that that is the fact. However, Mr. Chairman, I have reserved a point of order on the paragraph, and I would like to suggest that the paragraph is made up very largely of legislation which has been attached to appropriation bills in the past. Some of these items are subject to points of order, and some, I believe, are not; but if the Chair will permit me, I should like to make a point of order against the language in line 14, page 2:

And for mileage, at 5 cents per mile, to midshipmen entering the Naval Academy while proceeding from their homes to the Naval Academy for examination and appointment as midshipmen.

The CHAIRMAN. The gentleman from Illinois makes a point of order upon the language indicated.

Mr. MADDEN. A parliamentary inquiry, Mr. Chairman. Is it competent for a Member to make a point of order after debate has been had?

Mr. BRITTEN. I reserved the point of order before debate began.

The CHAIRMAN. The gentleman from Texas and the gentleman from Illinois reserved points of order.

Mr. POUL. Mr. Chairman, I move to strike out the last word.

The CHAIRMAN. That motion is not in order, the gentleman from Illinois [Mr. BRITTEN] having made a point of order upon the language.

Mr. BRITTEN. That language was added to an appropriation bill on July 11, 1919.

The CHAIRMAN. The gentleman will state his point of order.

Mr. BRITTEN. That language was added to the annual appropriation bill July 11, 1919. It is legislation pure and simple, and properly belongs with the Committee on Naval Affairs, and I therefore make the point of order against that language.

Mr. KELLEY of Michigan. I do not think that the language indicated by the gentleman from Illinois is subject to a point of order for this reason: The Secretary of the Navy, under general legislative authority, as the Chair will find in section 1515 of the Revised Statutes, has authority to regulate the place of holding examinations for admission to the Naval Academy.

Now, if the Secretary of the Navy under regulations which he can make under that statute fixes the place of holding examination at the home of the candidate or the applicant, then the applicant would be an officer immediately following his examination and appointment at his residence. Then, under the general law governing mileage and traveling expenses of officers he would be entitled to his mileage from his home to Annapolis, traveling under orders from the Secretary.

This statute simply fixes it so that the Secretary can regulate the place of holding the examination. It is more convenient for the Naval Academy to hold it at Annapolis, and so under that regulation the Secretary of the Navy says: You go to Annapolis and take the examination there, and if you pass and are appointed, your traveling expenses will be paid from home just as they would be paid if the examination was conducted at your home.

The authority conferred on the Secretary of the Navy to fix the place of holding the examination is the essence of determining whether or not the applicant is entitled to his mileage.

Mr. MADDEN. That is on the theory, I assume, that when a man passes the examination he is in the service.

Mr. KELLEY of Michigan. Exactly. Now, there is one point further. If he were an officer in the Navy at the time he started from home he would receive 8 cents a mile. This provision is in order under the Holman rule because it reduces that rate to 5 cents a mile.

Mr. BLANTON. Will the gentleman yield?

Mr. KELLEY of Michigan. Yes.

Mr. BLANTON. I agree with the gentleman, but I want to call his attention to the fact that there is not much hazard in sending a young man to Annapolis to be examined for the reason that prior to his going there he has passed the mental examination and been examined by some local physician.

Mr. KELLEY of Michigan. Yes; the Secretary would have no difficulty whatever in making a regulation providing for the

appointment of these boys at their home town. If he has the power to appoint them at their home town and then they can draw mileage, he has under the statute which gives him the authority to fix the place of holding the examination the authority to pay that same mileage just as they would be paid had he appointed them at their homes. So the whole matter resolves itself into a question of regulation as to the place of holding the examination which the statute authorizes the Secretary to make. Therefore, Mr. Chairman, this item is not subject to a point of order.

Mr. BUTLER. Will the gentleman yield for a question?

Mr. KELLEY of Michigan. I will.

Mr. BUTLER. I sincerely hope that the gentleman from Michigan is right in his argument on the point of order. It will relieve us from a great deal of difficulty in the future, but it has been held repeatedly that these young men who go to Annapolis are not officers until they graduate and are commissioned. I hope we have been mistaken.

Mr. KELLEY of Michigan. The Comptroller of the Treasury has held repeatedly that a midshipman is an officer in the Navy, and the accounts are carried in that way.

Mr. BUTLER. The courts have held the other way.

Mr. KELLEY of Michigan. They are in the service as soon as they receive their appointment to the academy.

Mr. BUTLER. No; they could not be retired for any disability.

Mr. KELLEY of Michigan. Mr. Chairman, I want to say in addition that in no case is the money paid for traveling expenses except after they become midshipmen, and whether it is paid to them at home or at Annapolis is immaterial, simply being a matter of regulation by the Secretary as to where he deems it convenient and advisable to hold the examination and make the appointment.

Mr. BRITTEN. Mr. Chairman, allowing what the gentleman from Michigan has said to be entirely correct in all phases, the rule specifically says that the Committee on Naval Affairs will care for pay and allowances for the officers and men in the service. If 5 cents a mile for travel is not allowances, I do not know what I am talking about.

Mr. KELLEY of Michigan. The gentleman does not intend to convey the impression that provision for pay and allowances in the existing law is to be passed on by the Naval Committee.

Mr. BRITTEN. This is new language on an appropriation bill put in in 1919, and its consideration properly belongs under the rule to the Committee on Naval Affairs. I have no objection to continuing this language in proper legislation. I am not attempting to take anything away from the midshipmen, but this language is legislation on an appropriation bill and belongs to the Committee on Naval Affairs, and that is my only reason for making the point of order.

Mr. MANN of Illinois. Will the gentleman yield?

Mr. BRITTEN. Certainly.

Mr. MANN of Illinois. Is this allowance paid to these candidates before they are examined and admitted or after they are appointed?

Mr. BRITTEN. It is paid after they are appointed as midshipmen.

Mr. MANN of Illinois. The language is "while proceeding from their home for examination and appointment." That would indicate that it was before their appointment.

Mr. BRITTEN. That is very true, but the language is in error.

Mr. MANN of Illinois. It says for examination and appointment.

Mr. BRITTEN. This bill provides 5 cents a mile for those who have been successful.

Mr. BUTLER. These young men may go there and may fail and get their pay.

Mr. KELLEY of Michigan. Oh, no.

Mr. BUTLER. I may be mistaken, but I thought they were paid 5 cents a mile even though they failed.

Mr. BRITTEN. Mr. Chairman, the examinations occur all over the United States—in Seattle, in San Francisco, in New Orleans—and after the examinations the young men pay their own fare to Annapolis, and then they are examined again physically, and they are then inducted properly into the academy. After that induction they get this allowance of 5 cents a mile.

It is purely legislation, and, under Rule XIII, allowances properly belong to the Committee on Naval Affairs. I am not attempting to take anything from the midshipmen. This language will again be made effective before July 1, but it will be made effective in a proper way through the Committee on Naval Affairs and not the Committee on Appropriations, and my sole desire in making points of order to-day will be to determine now,

once for all, whether the Committee on Naval Affairs is going to legislate and just how it will legislate or whether the Committee on Appropriations is going to appropriate and legislate, and just how it will operate in that respect, under this obnoxious rule under which we are attempting to conduct the business of this House.

Mr. BUTLER. Mr. Chairman, I would like to ask the gentleman from Illinois a question. Did I understand the gentleman to say that this allowance of 5 cents a mile was not given to young men who fail to pass the examinations?

Mr. BRITTEN. That is what I said.

Mr. BUTLER. Then I confess my ignorance.

Mr. KELLEY of Michigan. Mr. Chairman, I shall read the letter which is sent out to the boys governing that part of the situation:

If qualified mentally, you will be notified by the bureau to report at the Naval Academy, at Annapolis, Md., for physical examination, and if physically qualified you will be appointed. If appointed, you will be allowed mileage at 5 cents per mile from your home to Annapolis.

Mr. BUTLER. Mr. Chairman, I am obliged to the gentleman. That puts me straight.

The CHAIRMAN. The Chair is ready to rule. The gentleman from Illinois makes the point of order that the language—and for mileage, at 5 cents per mile, to midshipmen entering the Naval Academy while proceeding from their homes to the Naval Academy for examination and appointment as midshipmen—

is subject to the point of order, being legislation on an appropriation bill and not authorized by law. The gentleman from Michigan [Mr. KELLEY] cites section 1515 of the United States Revised Statutes, edition of 1878, which reads:

All candidates for admission to the Navy shall be examined according to such regulations and at such stated times as the Secretary of the Navy may prescribe. Candidates rejected at such examinations shall not have the privilege of another examination for admission to the same class, unless recommended by the board of examiners.

The Chair interprets this language to mean what it says, that it is for mileage allowance to midshipmen while proceeding from their homes to the Naval Academy for examination and appointment as midshipmen, and it is the view of the Chair that the section cited by the gentleman from Michigan, authorizing the Secretary of the Navy to make regulations for the examinations and to prescribe times when the examinations may be held, is not sufficient authority on which to base an allowance in an appropriation bill to pay mileage, and, therefore, sustains the point of order.

Mr. KELLEY of Michigan. Mr. Chairman, in place of the language which went out on the point of order I desire to offer the following—

Mr. BRITTEN. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. BRITTEN. As I suggested a few moments ago, the entire paragraph on pages 2 and 3 is subject to the point of order in many respects.

Mr. KELLEY of Michigan. But we will not make any time by taking it up in detail.

Mr. BRITTEN. I desire to make a point of order on various portions of the paragraph.

The CHAIRMAN. If the gentleman desires to proceed with the points of order, he may do so.

Mr. BRITTEN. I will make another point of order to the language on lines 18 and 19, on page 2:

Actual expenses of officers while on shore-patrol duty.

Those words were added to an appropriation bill as legislation on August 28, 1916, and are legislation. I make the point of order against that language.

Mr. KELLEY of Michigan. Mr. Chairman, let us get back to the Naval Academy item.

The CHAIRMAN. The Chair would state that a motion to amend a paragraph can not be made while a point of order against any part of it is pending. Does the gentleman from Michigan desire to be heard on the point of order?

Mr. KELLEY of Michigan. Mr. Chairman, with reference to the point of order made by the gentleman from Illinois to the language—

actual expenses of officers while on shore-patrol duty—

I desire to say that I do not believe that the language is subject to a point of order. The Chair, of course, is thoroughly familiar with the doctrine that where a statute gives direct authority to do some particular thing, it carries with it all incidental and implied authority necessary to make the general authority effective. Section 1431 of the Revised Statutes provides expressly that commanding officers may grant leave of absence on shore to men on ships. That carries with it as a disciplinary matter, if nothing else, the necessity for sending officers on shore with the men. There could be no more vicious thing than to permit these American boys in foreign ports shore

leave, subject to all of the temptations of foreign cities, without sending officers on shore with them. There are incidental expenses of those officers while on shore, carrying out the general authority conferred upon the commanding officer of the ship to grant shore leave. If those expenses are not carried as an incidental authority, then the main authority which commanding officers have to grant leave of absence to men from the ships is of absolutely no avail, because it would demoralize and destroy the Navy if young boys 17 and 18 years of age were allowed to go on shore in foreign cities without any supervision on the part of the officers. It may be necessary to pay street car fare, or perhaps the officer will be obliged to stay on shore overnight, or he may be obliged to buy a meal for himself. Those are incidental expenses which go with the authority to grant shore leave.

Mr. BRITTEN. Mr. Chairman, the argument of my friend from Michigan [Mr. KELLEY] is very appealing when he suggests that these officers are protected while doing shore-patrol duty. He refers to these officers as boys of 17 and 18 years of age.

Mr. KELLEY of Michigan. No; they are protecting the boys, watching over them, seeing that they keep out of mischievous places, and I am surprised that the gentleman from Illinois [Mr. BRITTEN] should want to see the youth of America turned loose in foreign cities without any supervisory authority.

Mr. BRITTEN. The gentleman's suggestion is surprising—it is amazing. He knows I am as much in favor of this thing as he is.

Mr. KELLEY of Michigan. Then let it alone.

Mr. BRITTEN. And his argument is absolutely ridiculous from my viewpoint, and I want him to know that is the way I feel about it.

Mr. CANNON. Will the gentleman yield for a question?

Mr. BRITTEN. I will yield.

Mr. CANNON. There is no law, the gentleman claims, that would justify this appropriation?

Mr. BRITTEN. There is no law that would justify it; and the rule of the House specifically states that, being an allowance for officers, it is cared for by the Committee on Naval Affairs. If these expenses—

Mr. CANNON. Hold on; let me ask another question: If this bill were being considered before the adoption of the rule taking away legislative provisions, and it would be reported by the Committee on Naval Affairs with appropriating provisions, would it be subject to a point of order?

Mr. BRITTEN. It would. It was added to the appropriation bill, I will say, in 1916, and the day it was included in an appropriation bill it certainly was subject to a point of order.

Mr. CANNON. Very well. Let me ask another question: When was this rule adopted?

Mr. BRITTEN. Last year.

Mr. CANNON. What has the Committee on Naval Affairs been doing that they have not provided the legislation that enables them now, having failed to provide legislation, to cut out this provision?

Mr. BRITTEN. I will suggest to my good friend that if he had been here yesterday I did tell the House that we went before the Committee on Rules in order that we might bring our legislation in here.

Mr. CANNON. What has the committee been doing this session?

Mr. BUTLER. I will tell the gentleman what we have been doing: We have been at work.

Mr. CANNON. On this legislation?

Mr. BUTLER. Yes, sir. I do not propose to be criticized even by my dear old friend; but that is what we have been doing. The gentleman knows we had no opportunity to legislate ahead of this bill.

Mr. CANNON. Has the gentleman drafted the bill?

Mr. BUTLER. Yes, sir; and it is on the calendar.

Mr. CANNON. Has the gentleman tried to get it up?

Mr. BUTLER. Yes, sir.

Mr. SNELL. Will the gentleman yield?

Mr. BRITTEN. I will yield to my friend from New York for a question.

Mr. BUTLER. We were not idle.

The CHAIRMAN. The Chair desires to hear the discussion upon the point of order.

Mr. SNELL. How many of these points of order the gentleman is raising would be covered by legislation which he has before the House?

Mr. BRITTEN. I do not know. We have got a bill reported with some 26 items in it covering all sorts of legislation, and many of them were incorporated in our bill at the request of the Committee on Appropriations.

Mr. SNELL. Do they cover the items to which the gentleman raises the point of order now?

Mr. BRITTEN. No, sir.

Mr. SNELL. I thought not.

Mr. BUTLER. Mr. Chairman, I ask permission to talk for two minutes.

The CHAIRMAN. The gentleman from Pennsylvania asks unanimous consent to address the committee for two minutes. Is there objection? [After a pause.] The Chair hears none.

Mr. BUTLER. Mr. Chairman, the bill referred to contains just exactly what my very good and excellent friend from Michigan, Judge KELLEY, asked to be put in it. With the greatest care we wrote the provisions as desired. I had intended to ask the Committee on Naval Affairs to legislate upon more than 200 subjects in this bill, which has been built up piece by piece, the Committee on Naval Affairs having had authority heretofore to legislate and appropriate. My friend from Illinois, Mr. MANN, smiles, but he looked upon it year after year as a necessity, as we built up this great bill as you find it here. Therefore I thought it necessary to take all these items in and make an omnibus bill and present them to this House and have it passed here and sent to the Senate, to be passed there, and then on to the President before this appropriation bill was reported, but when I consulted my friend, KELLEY of Michigan, he indicated certain things that he desired particularly, and we complied with his request and wrote them into this omnibus bill which now remains upon the calendar. We have done the best we could.

Mr. MANN of Illinois. Mr. Chairman, there are two ways of looking at an appropriation bill appropriating money for a governmental service. One is that every item must be authorized by a specific provision of law, that you can not by a pen or the ink with which to use it appropriate unless a legislative provision of law authorizes the appropriation. That rather narrow view of the law, I think, has never, or at least seldom, prevailed in the rulings in the House. Where the Government provides for a service the incidental expenses which are absolutely necessary and essential to the conduct of the service, in my judgment, have been included as authorized by the creation of the service, and that you could appropriate for the ordinary incidental expenses necessary in the conduct of the service. Take this case. We have a Navy. The Navy is authorized to send its battleships to any port in the world. It goes to a foreign port or to a home port or some other port. The Navy is authorized, and I think no one will contradict that, to permit the officers of the Navy to allow the enlisted men shore duty. The Navy is authorized to permit the commanding officer of the vessel to detail officers to go on shore on patrol duty—I do not know that I am getting the attention of the Chair.

The CHAIRMAN. The gentleman is getting the attention of the Chair.

Mr. MANN of Illinois. The Chair may be getting more information from reading a book than he is from me.

Mr. LINTHICUM. Will the gentleman yield?

Mr. MANN of Illinois. Well, I prefer—I will yield.

Mr. LINTHICUM. It occurred to me while the gentleman was making these remarks about these things which are incidental that not long ago we had a bill before this House that provided for water for a fountain which was authorized, and the gentleman argued that that was subject to a point of order, though it was a fountain and even though water was necessary.

Mr. MANN of Illinois. I suppose if the gentleman ever gets to heaven, which I doubt, and Saint Peter asks him if he is a good man, he will go off on some side issue and never be able to answer the question. [Laughter.]

Mr. LINTHICUM. Will the gentleman yield?

Mr. MANN of Illinois. I do not yield for a foolish question. Mr. LINTHICUM. Does the gentleman pretend that water is not necessary for the fountain?

Mr. MANN of Illinois. I argued that question when the matter was before the House, and successfully argued it, which the gentleman was not able to do.

Mr. LINTHICUM. I did not make any argument at all.

Mr. MANN of Illinois. The gentleman should follow my example and discuss a matter before the House successfully, instead of using his imagination as to something that was not said about matters before the House.

Now, Mr. Chairman, the question is whether, if the commanding officer of a naval vessel is authorized to detail an officer on patrol duty as one of the routine matters of the Navy, authorized in the maintenance of the Navy, the Government is authorized to pay the expense of that detail. I am inclined to think that one follows the other.

Mr. BRITTEN. Mr. Chairman—

Mr. SNELL. Mr. Chairman, I would like to ask the gentleman from Illinois a question before he leaves the floor.

Mr. MANN of Illinois. If it is not about a fountain.

Mr. SNELL. It is not.

As I understood the gentleman's statement, and that is as I understand the proposition also, heretofore we have always considered it was in order to appropriate for those things that were considered absolutely necessary for the conduct of the Navy. Am I right at that point?

Mr. MANN of Illinois. I always prefer to use my own language. If my statement was not clear, I will be glad to make it again.

Mr. SNELL. On the basis of your statement, and, I think I can add, if we have the same liberality in this bill that we have in former bills, will not most of the items be included in it?

Mr. MANN of Illinois. That is not the question before the House.

Mr. SNELL. It seems to me that is the proposition we have got to consider.

Mr. MANN of Illinois. The proposition here is as to this item.

Mr. SNELL. You are discussing the general proposition.

Mr. MANN of Illinois. But I am not claiming to apply it to the rest of the bill at this time.

The CHAIRMAN. The Chair would like to ask the gentleman from Michigan [Mr. KELLEY] a question. Is there a service or a duty in the Navy known as "shore-patrol duty," which is a part of the regular operation of the Navy and to which men are assigned from time to time?

Mr. KELLEY of Michigan. There is no question about that at all—that granting shore duty and shore-duty service is absolutely essential to the discipline of the Navy.

The CHAIRMAN. The Chair would like to ask the gentleman further if this is confined to ports outside of the jurisdiction of the United States?

Mr. KELLEY of Michigan. No.

The CHAIRMAN. The Chair will hear the gentleman from Illinois [Mr. BRITTEN].

Mr. BRITTEN. Mr. Chairman, just at that point the gentleman answered the Chair, "No." He has perhaps forgotten that we did a lot of patrol duty with the enlisted personnel of the Navy and Marine Corps on the streets of France.

The CHAIRMAN. The Chair asked the gentleman from Michigan if shore-patrol duty was confined simply to ports outside of the United States.

Mr. BRITTEN. Oh, no. It may be confined to ports in the United States. Under this appropriation, which was added to the appropriation bill of 1916, \$2,000,000 of the \$3,500,000 carried in the bill could be allowed to officers for expenses while on shore. Now, I suggest to the Chair that that is purely in the nature of an allowance. You are allowing an officer expenses while ashore, and the rule in paragraph 13 specifically states that the pay and allowance to officers and men properly belongs in the Committee on Naval Affairs.

Mr. KELLEY of Michigan. Mr. Chairman, if I may be permitted to add one more word, I wish to say that the gentleman from Illinois [Mr. BRITTEN] seems to miss the point entirely.

It is a well-known principle of law that even a constitutional provision carries with it all the incidental authority necessary to make that constitutional provision effective. For instance, Congress has authority to make war, and under that general authority we go ahead and expend money and take every dollar that the Government sees fit to take, in taxes or under condemnation proceedings, and go out and take the last man and assign him to war duty.

Now, it would have been folly to have given Congress the power to make war if it did not have the power to do all these other incidental things necessary to make the war power effective. It is utter nonsense to authorize the President of the United States to conduct a Navy and then say to him that he has no authority to exercise such incidental authority as may be necessary to make a Navy effective. The gentleman from Illinois seems to have the idea that unless an appropriation is backed up by direct authority it has no standing on an appropriation bill, which is not the fact at all, as the gentleman from Illinois [Mr. MANN] has so clearly stated.

Mr. BRITTEN. Will the gentleman yield for a question?

Mr. KELLEY of Michigan. If some incidental authority is necessary to make a direct authority effective, Congress has the power to make the necessary appropriations to carry that incidental authority into effect. That is all there is to it.

Mr. BRITTEN. Is the gentleman suggesting to the Chair that the Navy will be ineffective unless officers are allowed certain expenses while on shore?

Mr. KELLEY of Michigan. If the gentleman's interpretation of the authority conferred upon the President and the Secretary of the Navy with relation to the conduct of the Navy should prevail, not a single cent of money could be appropriated for the most casual expenditure in the carrying out of that service until Congress had granted specific authority. This policy would paralyze every branch of the Government and render all general grants of power useless.

Mr. BRITTEN. Mr. Chairman, in conclusion I just want to suggest this, that if travel pay is an allowance, certainly expenses ashore for an officer are an allowance; and if they are allowances, as the Chair has once ruled to-day, let me again call the attention of the Chair to the language in the rule under which we are now operating, and that is that the pay and allowances for officers and enlisted men of the Navy properly belong to the consideration of the Committee on Naval Affairs.

Mr. REAVIS. Mr. Chairman, will the gentleman yield?

Mr. BRITTEN. Yes.

Mr. REAVIS. Supposing that patrol duty on shore were definitely authorized by law, would the gentleman think that a point of order would lie to some detail of expense essential to that duty?

Mr. BRITTEN. No; nor do I think that this expense is essential to the efficiency of the Navy as applied in a general sense.

Mr. REAVIS. If in the view of the Chair it would be essential to some of the service authorized by law, would the gentleman contend that a point of order would then lie to it?

Mr. BRITTEN. My sole contention in all of these matters, I will say to my good friend from Nebraska, is that because I am making these points of order, I am not objecting to them in legislation; I am merely trying to determine, for the benefit of the future, if we are going to continue to operate under this obnoxious rule, a rule which is not providing for legislation properly and efficiently and successfully. I want to know for the future, for the benefit of the Committee on Naval Affairs, just which legislation we are to care for next year and the other years following. I do not think for one moment that this rule may be effective. I think in a year Gov. KELLEY will be back in the Committee on Naval Affairs. We are still reserving his place for him, next to the chairman; but I think the country and the House ought to realize that we are not conducting the business of the Government properly under this new system.

Mr. REAVIS. It may be my stupidity, but I do not quite catch the gentleman's view. Is he objecting or raising a point of order to the item because the service is not authorized, or does he admit that there is authority in law for the service of which this is a mere detail?

Mr. BRITTEN. No. There is no authority in law for this. It is legislation, pure and simple, on an appropriation bill. That is the reason why I made the point of order. If I had thought there was any authority of law for it, I should not have made the point of order.

Mr. MANN of Illinois rose.

Mr. KELLEY of Michigan. Mr. Chairman, before the gentleman from Illinois goes along, I want to call the attention of the Chair to a direct decision in Hinds' Precedents, section 3786, volume 4, where the distribution of card indexes, and so forth, by the Library of Congress was held to be merely an incidental authority conferred when the general authority of conducting the Library was granted.

Mr. BLANTON. Mr. Chairman, will the gentleman yield right there?

Mr. KELLEY of Michigan. Just a minute, until I read this.

The CHAIRMAN. The gentleman declines to yield.

Mr. KELLEY of Michigan. Mr. Fitzgerald of New York said:

I desire to say that the Library of Congress is authorized by law. This is a part of the Library work. It is one of the things which is generally authorized in the maintenance of the Library. It is not one of those cases where a point of order is good against the item. It is a service done in continuation of the work of the Library, and merely because the amount is increased it does not come within the rule so as to make it subject to a point of order, as it would be if it were an increase of salary. It is for a continuation of a work in progress, the work of maintaining the Library, which is existing under the law, and which work is done in pursuance of law. It seems to me under the circumstances it is proper to appropriate the amount determined by the committee.

It is simply a mere incidental authority conferred with the general authority which they have to run the Library. They can get out these index cards, and the incidental authority was held by the Chair to exist.

Mr. BRITTEN. I agree with the gentleman that the authority is incidental, but it applies to an increase of salary.

Mr. KELLEY of Michigan. Oh, no.

Mr. BRITTEN. Quite generally, in order to carry out certain work.

The CHAIRMAN. The gentleman from Illinois [Mr. MANN] is recognized.

Mr. MANN of Illinois. Mr. Chairman, I do not criticize my colleague [Mr. BRITTEN] for making points of order on this bill, because I think if I were on one of these committees that has been stripped of authority I would riddle every appropriation bill as much as I could.

But that is not the question to which I wish to address myself. My colleague says that this is legislation, and that the rules provide that the Committee on Naval Affairs shall have legislative jurisdiction over allowances to officers. Of course if this is legislation, it is obnoxious to the rule, regardless of the jurisdiction of any committee. But this is not legislation. The question is whether it is an appropriation authorized by law. It is not legislation; it is an appropriation; and the question of jurisdiction between the committees has nothing to do with the case, because if it were legislation it would be obnoxious to the rule in any event. But my contention is that, being an appropriation, an incidental expenditure for service authorized by the law, the appropriation is authorized by law.

Mr. BRITTEN. Mr. Chairman, will the gentleman yield for a question?

Mr. MANN of Illinois. Certainly.

Mr. BRITTEN. Does not my colleague—and I have the highest regard for his opinion, and I think he is usually right—does not my colleague believe that when an officer is detailed ashore and is allowed a certain sum of money for his expenses ashore, that distinctly is an allowance? And if it is an allowance, does not my colleague believe that, under the ruling, the Committee on Naval Affairs should give it consideration rather than the Committee on Appropriations?

Mr. MANN of Illinois. If a bill is brought into the House providing for legislation that an officer on shore should be paid an allowance, it would go to the Committee on Naval Affairs, and the Committee on Appropriations would have no jurisdiction; and if the point is sustained by the Chair, it may become necessary for the Congress to legislate upon the subject. But this is not legislation; this is an appropriation. My contention is that, being merely an appropriation, it is an appropriation authorized by law, and does not require special legislation. I say that if an officer is required to go on duty on shore, required by his commanding officer, and if he fails to obey the order he is subject to a court-martial and dismissal from the Navy; if he is required to go on shore under regulations of the Navy, which are authorized by law, and if he is required to go on shore and incur an expense, then there is authorization for Congress to appropriate the money to recompense him for the expense which he must incur.

Mr. BRITTEN. I desire to remind the Chair of one statement of the gentleman from Illinois [Mr. MANN]. He said, in substance, that if this was something new desired by the Navy, of course when the matter came here it would go to the Committee on Naval Affairs. That is the language exactly as it is in the bill. In 1916 it did come to Congress in just that way, by a request from the department to make certain allowances to officers who might from time to time be detailed to shore-patrol duty—an allowance for their expenses. The Committee on Naval Affairs inserted that in the bill at that time. It was then subject to a point of order as new legislation. But now, under the new rule of the House, it is specifically provided that allowances to officers shall be for the consideration of the Committee on Naval Affairs; and for expenses ashore, hotel bills, railroad fare, taxicabs, meals, expenses of that kind which are purely personal in their nature, I maintain that they belong to the Committee on Naval Affairs.

Mr. WINGO. Will the gentleman yield?

Mr. BRITTEN. Yes.

Mr. WINGO. Is there not a distinction in law between making an allowance in lieu of expenses or to cover expenses and the payment of the actual expenses?

Mr. BRITTEN. It has always been maintained that actual traveling expenses, railroad expenses, and so forth, are allowances to officers.

Mr. WINGO. They are allowances for that purpose—

Mr. BRITTEN. They come under the head of pay and allowances.

Mr. WINGO. But I want to direct the attention of the Chair to the fact that this provision proposes not to make what is called a lump allowance, but to cover actual expenses that the officer can not control. If it was proposed to pay him so much per day, that would be an allowance in a lump sum to cover it, and that would require legislation; but this is purely to reimburse an officer for expenses incurred in the discharge of

his duty, and certainly there is authority in law for that purpose.

Mr. BRITTEN. Yes; but I maintain that a lump sum per day is just the same.

Mr. WINGO. I think there is a difference between the payment of actual expenses and a lump-sum allowance.

Mr. BRITTEN. It may be just as necessary in the performance of his duty for us to say, "We will send you to a certain place and allow you \$5 or \$8 a day."

Mr. WINGO. There is a distinction. If you allowed him \$5 or \$10 a day, that might cover his actual expenses or it might not. It might exceed them. That would be an arbitrary rule which Congress laid down. It might exceed his actual expenses. But if you simply provide that he shall have his actual expenses, it is something over which he has no control. You do not give him any advantage. You propose to take care of an incidental expense of the service which is certainly authorized by law.

Mr. BRITTEN. I do not agree with the gentleman.

Mr. SNELL. Mr. Chairman, I feel that this is a very vital proposition, and that the decision of the Chair on this question may have an important influence on the future conduct of the House in dealing with these matters. I think that on this proposition we ought to mix a little common sense with the technical rules of the House. If we adopt the policy that we must legislate on every single activity in the minutest detail of every one of the departments of the Government, this House has not time enough in 365 days to legislate for one department alone, to say nothing of the various departments that we are trying to operate at the present time. I feel that we ought to use a little liberality in interpreting the rule at this time, and that we should not insist on legislation on all these matters of minute detail, but should interpret the rules as the majority of the House believe should be done in order to facilitate public business.

Mr. MCCLINTIC. Mr. Chairman, I raise the point of order that debate on the point of order is exhausted.

The CHAIRMAN. The Chair overrules the point of order. Debate on points of order is in the discretion of the Chair.

Mr. KELLEY of Michigan. Mr. Chairman, the importance of this decision is my only excuse for taking any more time in its discussion.

Section 4015 of Hinds' Precedents sustained a contingency appropriation. The bill in that case carried an appropriation to be spent in the discretion of the Secretary of the Navy for matters of emergency that might arise, things that nobody could foresee. Now, if under a general authority to conduct the Navy it is in order on an appropriation bill to provide a contingent fund to be put at the disposal of the Secretary of the Navy which he can use to meet contingencies whenever they arise and of whatever character, certainly there must be a wide margin of authority which must be regarded as incidental in character and which naturally goes with general authorizations.

The CHAIRMAN. The gentleman from Illinois [Mr. BRITTEN] makes a point of order to the language in the bill reading—

Actual expenses of officers while on shore-patrol duty—

in that it is an appropriation unauthorized by law.

The Chair has examined the decisions of existing law with reference to items of expense for officers in the Navy, such as travel and allowances made in lieu of mileage, also commutation of quarters and provisions for men when quarters are not available, and for the payment for travel between places in the United States, and also for travel between places abroad.

In all of these provisions specific authority is given to pay the travel and expenses or the allowance in lieu thereof, and while there is nothing to indicate that this particular item of expense is to be incurred for duty performed abroad or within the United States, the Chair feels that this item does not come within the provisions of the existing law for that character of expenses, and that there is no specific authority in the law authorizing the payment of the mileage, or for payment for travel between points within the United States or between foreign ports, or for the commutation of quarters, or for expenses ashore where quarters are not available. And there is a decision that no allowance shall be made in settlement of any account for travel expenses unless the same be incurred on the order of the Secretary of the Navy or the allowance be approved by him.

In the view of the Chair the question seems to come down to whether this duty is such an incident of the operation of the Navy Department which is to be performed by officers acting under orders as to make it a necessary part of the conduct of the Navy for which an expenditure can be incurred without specific detailed authority in a legislative act.

The Chair gathers from the statement of the gentleman from Michigan, as supplemented by the statement of the gentleman from Illinois, that this is a well-known duty in the Navy Department; that officers may be assigned to that duty under orders and that the requirement that the actual expenses while on that duty shall be paid. If there is no authority for this in the appropriations made for naval purposes, it would seem that it would impose a duty on the officers of the Navy, and that the incidental expenses in the performance of that duty would necessarily fall on the officer, which the Chair feels can not be the real intent of the existing laws or of Congress in setting up appropriations for the maintenance of the Naval Establishment. The Chair feels that while it does not come within the various classes specifically authorized by law, in view of the information furnished by the gentleman in charge of the measure, as supplemented by statements made in discussion of the point of order on both sides of the question, that the actual expenses of officers while performing this particular class of duty, which is a well-recognized duty in the Navy, is such a necessary incident as to authorize its inclusion in this bill, and therefore the Chair overrules the point of order.

Mr. POUL. Mr. Chairman, is it in order to move to strike out the last word?

The CHAIRMAN. Not as long as there is a reservation of a point of order. The gentleman from Illinois reserves a point of order on the entire paragraph, and he is making the point of order to the particular language in the section.

Mr. BRITTEN. Mr. Chairman, I call the attention of the Chair to the language in line 19, page 2, after the word "duty," "hire of launches or other small boats in Asiatic waters." That language was added to the appropriation bill in 1883 and is subject to a point of order, and I make the point of order.

Mr. MANN of Illinois. Mr. Chairman, the other day a gentleman occupied the chair for whose opinion I sometimes have considerable respect. A point of order was made against the appropriation for the hire of a launch at Constantinople in the Diplomatic and Consular Service. The Chair overruled the point of order on the ground that it was an incidental expense. I agreed with the opinion of the Chair at that time because I made the ruling. [Laughter.] But it was not the first time the same matter had been ruled upon. I find that the same matter—the same identical proposition—was ruled on long ago and held in order; and no doubt the parliamentary clerk furnished the Chair the volume of Hinds' Precedents containing that precedent.

Mr. BLANTON. And every year during the last three years in the diplomatic bill it was overruled.

The CHAIRMAN. The Chair recalls the ruling made the other day, which apparently was made upon precedents well established, but the Chair feels that it is not necessary to go beyond the precedents. The Chair has great respect for the wisdom and great knowledge of parliamentary law of the occupant of the chair at that time, and the Chair, for the reason at that time expressed, will overrule the point of order.

Mr. BRITTEN. Mr. Chairman, I call attention to this language on line 20, page 2—

The CHAIRMAN. Does the gentleman make a point of order?

Mr. BRITTEN. Yes; "for rent of buildings and offices not in navy yards."

Mr. KELLEY of Michigan. Mr. Chairman, this has been ruled upon over and over again. I call attention to section 3777 of Hinds' Precedents, volume 4:

An appropriation for rent and repair of buildings used in the public service was held to be in the continuation of public works.

Besides that, it is supported by positive law.

The CHAIRMAN. The gentleman from Illinois makes the point of order against the language "for rent of buildings and offices not in navy yards." Under the decision cited by the gentleman from Michigan the Chair there held that an appropriation for the repair of buildings was an appropriation for the continuance of public works, and the Chair feels that under the precedent established the language is in order, and therefore overrules the point of order.

Mr. BRITTEN. Mr. Chairman, I make the point of order on this language, line 22, page 2, of the bill—"boards of inspection, examining boards with clerks." That is new language on an appropriation bill—legislation on an appropriation bill. The Secretary of the Navy might spend \$2,750,000 out of this three and a half million dollars for boards of inspection, examining boards, and send them all over the world. I maintain that it is legislation on an appropriation bill and therefore subject to a point of order.

Mr. KELLEY of Michigan. Mr. Chairman, the expense of boards of inspection is definitely authorized by law under the

act of August 5, 1882. Twenty-second Statutes at Large, 296. It is section 2786 of the compiled statutes.

It shall be the duty of the Secretary of the Navy as soon as may be after the passage of this act, to cause to be examined by competent boards of officers of the Navy to be designated by him for that purpose all vessels belonging to the Navy not in actual service at sea, and vessels at sea as soon as practical after they shall return to the United States, and hereafter—

And the word "hereafter" puts it beyond all doubt in respect to its being permanent.

and hereafter all vessels on their return from foreign stations, and all vessels in the United States as often as once in three years, when practical, shall be examined; and said board shall ascertain and report to the Secretary of the Navy in writing which of said vessels are unfit for further service, etc.

I do not think I need take up the time of the Chair or of the committee further by reading the statutes. These boards are specifically authorized by law.

The CHAIRMAN. The gentleman from Illinois [Mr. BRITTEN] makes the point of order to the language—

Boards of inspection, examining boards, with clerks—

in lines 22 and 23, on page 2, of the bill. The statute which has been cited by the gentleman from Michigan would seem to the Chair to authorize the Secretary of the Navy to convene such boards for the duties therein specified, and the mere fact that anyone of these particular items in the paragraph might require the expenditure of the total appropriation seems to the Chair has no bearing on the point of order. The Chair feels that the statute cited clearly authorizes the appropriation and, therefore, overrules the point of order.

Mr. BRITTEN. Mr. Chairman, I make the point of order to the language in line 24, on page 2—

Expenses of naval defense districts.

That is legislation on an appropriation bill and was added as legislation to an appropriation bill on August 29, 1916.

The CHAIRMAN. The Chair would be inclined to overrule that point of order, because this does not appear to be legislation.

Mr. KELLEY of Michigan. It is a mere matter of regulation and administration.

Mr. KNUTSON. Mr. Chairman, in order to expediate matters will not the Chair define what legislation means on an appropriation bill, so that the gentleman from Illinois [Mr. BRITTEN] may not unnecessarily take up the time of the House.

Mr. BRITTEN. The whip of the House has spoken. Mr. Chairman, I make the point of order to the language in line 3, page 3, of the bill—

Ferriage; tolls.

It is legislation on an appropriation bill.

Mr. KELLEY of Michigan. Mr. Chairman, neither of those items is subject to a point of order. They are mere necessary incidental authority that goes with the operation of motor cars or the purchase of supplies on shore. Let us suppose there is a ship in Asiatic waters. An officer wants to buy supplies or to get money for the pay roll, and has to have little expenses paid for ferriage ashore. The ship may not be able to get in. Up here at Havre de Grace there is a toll bridge, and automobiles belonging to the Government, trucks from the Philadelphia Navy Yard passing to other points which they have to reach in the course of public business, are obliged to pay toll there to get across the river. It is the same way at the Norfolk Navy Yard. The navy yard is across the river from the city. The officers in the yard or men detailed on some duty are sent over, we will say, to the bank or to get supplies. They must cross on the ferry. These are ordinary necessary incidentals to carrying on the work of the Navy Department, and fall within the previous rulings of the Chair. Automobiles are authorized and trucks are authorized.

The CHAIRMAN. The Chair thinks these items are of a character that have previously been mentioned as necessary incidentals which accompanies the performance of duty on the part of members of the Naval Establishment, and that it is within the rules of the House on this appropriation bill to authorize their payment, and overrules the point of order.

Mr. BRITTEN. Mr. Chairman, I make the point of order against the following language, on line 5, page 3, of the bill: recovery of valuables from shipwrecks.

It has been suggested that certain paragraphs or clauses in the bill are incidental to the maintenance and efficiency of the Navy. Of course, you could shoot a man under that language. Many things might be incidental to the management of the Navy or might be held to be incidental to the management of the Navy and yet be legislation on an appropriation bill. This language was inserted as legislation on an appropriation bill, and I make the point of order against it.

Mr. KELLEY of Michigan. Mr. Chairman, the gentleman is again in error as to the character of the authorization. This is general authority. Section 2776 of the compiled statutes reads as follows:

The President may, when the necessities of the service permit it, cause any suitable number of public vessels adapted to the purpose to cruise upon the coast in the season of severe weather and afford such aid to distressed navigators as their circumstances may require, and such public vessels shall go to sea fully prepared to render such assistance.

They are to assist in any way in the recovery of property or in the prevention of distress.

Mr. HICKS. Does the gentleman hold that that is one of the great functions of the Navy Department?

Mr. KELLEY of Michigan. It is authorized specifically in the law.

Mr. HICKS. Then where does the Coast Guard come in in that service?

Mr. KELLEY of Michigan. I do not care anything about that.

Mr. HICKS. That is the function of the Coast Guard and not the Navy.

Mr. KELLEY of Michigan. The President is directly authorized to so assign ships of the Navy. The gentleman evidently did not hear me read the law. There is one other provision to which I would like to call the attention of the Chair. I have not the citation directly at hand, but if he wishes I shall get it for him. It provides that the commanding officer of every ship of the Navy when at sea or when in a port where there is no consul shall have all of the powers of a consul and exercise every duty that a consul of the United States Government can exercise. One of the chief functions of consuls is to preserve property in situations of the character described.

The CHAIRMAN. The gentleman from Illinois makes the point of order against the language "recovery of valuables from shipwrecks." The Chair has examined the section of the statute to which the gentleman from Michigan has referred and finds that not only is the President given authority to cause a suitable number of vessels to cruise and afford aid to distressed navigators, but the Secretary of the Navy is authorized to cause vessels under his control adapted for the purpose to afford salvage to public or private vessels in distress, and is further authorized to collect reasonable compensation therefor. While this is not perhaps expressed in maritime language, yet it is the view of the Chair that it comes within the rule and is authorized by the two paragraphs of the statutes to which the gentleman from Michigan has referred. The Chair, therefore, overrules the point of order.

Mr. BRITTEN. Mr. Chairman, I make the point of order against the following language: On line 8, page 3 of the bill, "information from abroad and at home, and the collection and classification thereof." That is legislation on an appropriation bill, was added as such to an appropriation bill, and I make the point of order against the language.

Mr. KELLEY of Michigan. Mr. Chairman, without taking too much time this provision is to pay our naval attachés, and it is fully and completely authorized by statute.

Mr. BRITTEN. The gentleman does not mean to say this takes care of naval attachés?

Mr. KELLEY of Michigan. Takes care of their expenses.

Mr. BRITTEN. The pay for naval attachés comes out of pay and allowances for the Navy.

Mr. KELLEY of Michigan. I know that.

Mr. BRITTEN. And this money does not go to naval attachés at all.

Mr. KELLEY of Michigan. Yes; for incidental expenses. Besides that, section 1752 of the Revised Statutes expressly provides for the gathering of information of this sort.

Mr. TINCER. Will the gentleman yield?

Mr. KELLEY of Michigan. I do.

Mr. TINCER. I notice the gentleman from Michigan is reading considerably from a book which he calls the Revised Statutes. For the last four or five points of order the gentleman has read a section in this statute which seems to cover each case. I wondered if that book was available to all the members of the Committee on Naval Affairs, Legislative and Appropriations Committee alike, or was it just available for the use of the appropriating end of the committee?

Mr. MANN of Illinois. It is evident the gentleman from Kansas does not know about that from his question.

Mr. TINCER. Well, the gentleman from Illinois made some five or six points of order, and the gentleman from Michigan referred to sections of the Revised Statutes which he said absolutely covered the point of order, and I wondered if that could not be arranged so as to go to the other members of the committee, whether the gentleman from Kansas understood it or

not, and maybe the other gentleman from Illinois might be posted on it.

Mr. KELLEY of Michigan. Has the Chair read section 1752, to which I referred? It is as follows:

SEC. 1752. The President is authorized to prescribe such regulations, and make and issue such orders and instructions, not inconsistent with the Constitution or any law of the United States, in relation to the duties of all diplomatic and consular officers, the transaction of their business, the rendering of accounts and returns, the payment of compensation, the safe-keeping of the archives and public property in the hands of all such officers, the communication of information, and the procurement and transmission of the products of the arts, sciences, manufactures, agriculture, and commerce, from time to time, as he may think conducive to the public interest. It shall be the duty of all such officers to conform to such regulations, orders, and instructions.

Now, under the authority which is given the President he designates naval officers to these embassies. They gather information about the Navy, and all about the building programs of foreign Governments and the latest improvements and types of ships, work that could not be well done by anyone but a naval officer.

Mr. MANN of Illinois. Will the gentleman yield there?

Mr. KELLEY of Michigan. I will.

Mr. MANN of Illinois. What sort of a situation would the country be in if it were confronted with war and had no information abroad or at home collected and classified?

Mr. KELLEY of Michigan. Well, the gentleman's question is its own answer.

Mr. MANN of Illinois. Just as well sink the Navy.

Mr. BRITTEN. Will the gentleman yield? There is no question about the value of this service.

Mr. KELLEY of Michigan. Nor is there about the authority and authorization.

Mr. BRITTEN. Nor about the value of various other paragraphs in this bill. If they did not have value and merit to them it is assumed they would not be in here, but I am making points of order for the specific purpose—I am not attempting to filibuster, but I am trying to show to the House that the rule under which we are operating is a ridiculous one, and I hope it will be changed.

Mr. MONDELL. Will the gentleman yield?

Mr. BRITTEN. I have not the floor; the gentleman from Michigan has the floor.

Mr. MONDELL. Has there been any change in the rules as to points of order in this bill since a year ago, when the naval bill was reported, except in the matter of new ships and the size of the Naval Establishment?

Mr. BRITTEN. The only difference is in the rules of the House.

Mr. MONDELL. There is no difference in the rules. Whatever was the rule a year ago in regard to these items is the rule now. If the gentleman is so touchy about the rules he should have made these points of order a year ago.

Mr. BRITTEN. We were not operating a year ago under the rules we are operating under to-day.

Mr. MONDELL. We are operating under exactly the same rule, as far as these items are concerned, absolutely the same rule. Nothing has been quoted, nothing has been referred to that was not the rule a year ago and had not been established a year ago and for years before that.

The CHAIRMAN. The Chair overrules the point of order.

Mr. BLANTON. If it gets too hot for the gentleman over there we will invite him to come over here and sit with us.

Mr. LANHAM. Mr. Chairman—

The CHAIRMAN. The gentleman from Texas.

Mr. CANNON. That would only be jumping out of purgatory into hell. [Laughter.]

Mr. KELLEY of Michigan. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. KELLEY of Michigan. Did the Chair direct the Clerk to read?

The CHAIRMAN. The Chair recognizes the gentleman from Texas.

Mr. LANHAM. Mr. Chairman, I move to strike out the last word. Mr. Chairman, in view of the controversies which seem to have arisen to-day between the upper 35 and the submerged 400 I think the following lines are appropriate:

IN MEMORY OF THOSE WHO DIED AT THE BATTLE OF BUDGET BILL.

I.

Half a league, half a league,
Half a league onward,
On toward the Budget Bill
Charged the four hundred.
Forward, too forward quite,
They who contrived the fight,
They who into the night
Rode the four hundred.

II.

"Forward, Light-head Brigade!"
Was there a man dismayed?
Not one among them knew
Twenty score blundered;
Theirs not to reason why,
Theirs but to charge and cry:
"Lead us and take the pie!"
Into the valley of Death
Voted four hundred.

III.

Big guns to right of them,
Big guns to left of them,
Big guns behind them
Volleyed and thundered;
Lashed by the leaders' yell,
Spurred to the mouth of Hell,
E'en to the jaws of Death,
Into the trap they fell,
Fell the four hundred.

[Laughter.]

IV.

Slashed all their future bare,
Slashed in the thick hot air,
Sabering their prestige there,
Charging their comrades while
Herded and plundered;
Plunged in the screen of smoke,
O how they bent and broke:
North, South and East and West
Reeled from the fatal stroke
Shattered and sundered.
Then they strode back, but not—
Not the four hundred.

[Laughter.]

V.

Big guns to right of them,
Big guns to left of them,
Big guns in front of them
Volleyed and thundered;
Stormed at with shot and shell,
Men and Committees fell;
But they who died so well
Cried from the jaws of Death,
Shrieked from the mouth of Hell:
"Long live the Thirty-five!
Die the four hundred!"

VI.

When can their folly fade?
O the wild charge they made!
All the world wondered,
Look on the stupid dead!
Come, pat them on the head!
Slaughtered four hundred!

[Laughter.]

Mr. BRITTEN. Mr. Chairman, a parliamentary inquiry?

The CHAIRMAN. The gentleman will state it.

Mr. BRITTEN. I had not concluded my points of order on the former paragraph when the Chair recognized the gentleman from Texas. I think he recognized the gentleman from Texas [Mr. BLANTON] while I was on my feet. However, I will be willing to go along as the Chair suggests.

The CHAIRMAN. Well, the Chair does not desire to seem to take advantage of the gentleman, but the gentleman had taken his seat and made no attempt to seek recognition, and the Chair concluded that he had no further point of order to make. But if the gentleman feels that inadvertently he had delayed the points of order to the Chair, the Chair will recognize him.

Mr. BRITTEN. I thank the Chair.

I desire to make a point of order on line 12, page 3, of the bill. It is new language in the bill and inserted and carried in the bill for the first time. It reads, "not to exceed \$250,000." The language may be justifiable and necessary, but it is new language in the appropriation and I make the point of order against it.

The CHAIRMAN. The Chair thinks the language the gentleman makes the point of order to is a limitation on the expenditure, and overrules the point of order.

Mr. KELLEY of Michigan. Mr. Chairman, I ask for a reading of my amendment which I have sent to the Clerk's desk.

The CHAIRMAN. The gentleman from Illinois [Mr. BRITTEN] withdraws his reservation of a point of order to the paragraph, and the gentleman from Michigan [Mr. KELLEY] offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. KELLEY of Michigan: Page 2, line 14, after the word "employees," insert "and for mileage, at 5 cents per mile, to midshipmen entering the Naval Academy."

Mr. KELLEY of Michigan. I think, Mr. Chairman—

Mr. BRITTEN. Mr. Chairman, I make a point of order against the language. It is legislation on an appropriation bill. It is in the nature of an allowance to an officer of the Navy. He is not an officer until he gets into the academy. He does not get this allowance until after he is inducted into the academy and made an officer of the United States Navy. The

language properly belongs as legislation to the Committee on Naval Affairs.

Mr. KELLEY of Michigan. Mr. Chairman, if you will notice the language which I sent to the desk, it says "and for mileage, at 5 cents per mile, to midshipmen entering the Naval Academy." It does not say candidates for midshipmen, but for midshipmen entering the Naval Academy. That means after they are appointed. Now, if they are appointed at the place of residence, which the Secretary has a perfect right to do, they will be entitled to this mileage. They would be entitled to the regular mileage of officers traveling under orders, at 8 cents per mile, the very moment they receive the appointment and are sworn in as officers of the Navy. If the Secretary changes the regulations and appoints them at their homes the regulation is so changed that the appointments can be made before they leave their homes, then they are officers traveling under orders and would be entitled to 8 cents a mile. This provides for 5 cents, which is a reduction from the existing law, and is in order under the Holman rule.

The CHAIRMAN. What is the existing law?

Mr. KELLEY of Michigan. Eight cents a mile for officers traveling under orders.

The CHAIRMAN. Does the gentleman know when they are appointed in the Naval Academy as midshipmen?

Mr. KELLEY of Michigan. As soon as they receive the appointment they are appointed as midshipmen. That is the title which they receive upon appointment. And if that appointment is made at their homes, they immediately become officers and take the oath of office, and are entitled to mileage that any other officer receives.

Mr. MANN of Illinois. Will the gentleman yield for a question?

Mr. KELLEY of Michigan. Certainly.

Mr. MANN of Illinois. Would not this provision authorize the Secretary of the Navy to pay a midshipman for travel prior to the time he was a midshipman?

Mr. KELLEY of Michigan. I do not think so, Mr. Chairman, for the reason that it says "for mileage, at 5 cents per mile to midshipmen entering the Naval Academy." Now, then, the basis for paying 5 cents a mile, or 8 cents a mile, is the fact of being officers of the Navy. They could get 8 cents a mile if it were not for this language reducing the allowance to 5 cents.

Mr. MANN of Illinois. I am inclined to think if they could get 8 cents a mile this amendment would not be offered. But under the language of the amendment, if a man travels to Annapolis and then enters as a midshipman, would not he be authorized to receive payment for his travel before he was a midshipman? Is there any restriction in this provision at all as to what the travel pay shall be?

Mr. KELLEY of Michigan. The assumption would be, of course, that the Comptroller of the Treasury would administer this according to law. There would be no authority for paying anybody traveling allowances before he was an officer.

Mr. MANN of Illinois. If that is the case, if that would be the ruling, I would suggest to the gentleman that he had better withdraw his amendment and have it properly fixed in the Senate, because I believe that these men who do travel from distant parts of the country to Annapolis really ought to be paid their expenses of travel.

Mr. KELLEY of Michigan. If they are appointed.

Mr. MANN of Illinois. If they are appointed. But if the gentleman's amendment would not do that, then what on earth is the use of putting it in?

Mr. KELLEY of Michigan. It restricts the mileage to 5 cents.

Mr. MANN of Illinois. Oh, no; that is not the reason. Tell that to the Marines, but not to me.

The CHAIRMAN. The Chair sustains the point of order. The Clerk will read.

The Clerk read as follows:

Contingent, Navy: For all emergencies and extraordinary expenses, exclusive of personal services in the Navy Department or any of its subordinate bureaus or offices at Washington, D. C., arising at home or abroad, but impossible to be anticipated or classified, to be expended on the approval and authority of the Secretary of the Navy, and for such purposes as he may deem proper, \$50,000.

Mr. BRITTEN. Mr. Chairman, I make the point of order against the entire paragraph.

The CHAIRMAN. The gentleman will state his point of order.

Mr. BRITTEN. It is legislation upon an appropriation bill. It was added to an appropriation bill as legislation, and its consideration properly belongs to the Committee on Naval Affairs. I make the point of order against it.

Mr. BLANTON. Mr. Chairman, will the gentleman yield?

Mr. BRITTEN. Yes.

Mr. BLANTON. I want the gentleman from Illinois to understand that he has got some friends in the House to prevent a possible physical catastrophe happening to some of our steering committee. I fancy if they had ever seen the gentleman from Illinois perform with boxing gloves they would not be crowding him so much over there. [Laughter.]

Mr. BRITTEN. Mr. Chairman, I make the point of order against the paragraph.

Mr. KELLEY of Michigan. Mr. Chairman, I cited to the Chair a little while ago the authority for another proposition, section 4015 of Hinds' Precedents, as to the emergency fund, which squarely ruled upon the point. I think I read a decision a few moments ago, based upon a provision that an emergency fund for the maintenance of the Navy to be expended in the discretion of the President, was held to be a limitation and in order on an appropriation bill.

The CHAIRMAN. This paragraph does appear to carry legislation, "to be expended on the approval of the Secretary of the Navy." If the gentleman makes the point of order against the paragraph the Chair will be obliged to sustain it.

Mr. KELLEY of Michigan. I call attention to the fact that that was the particular ground on which the point of order was made when this original case was decided, that the language, "to be expended under the direction of the President" made it subject to the point of order. But the chairman overruled the point of order, and held that it was a mere limitation upon the expenditure, and not in any way interfering with the authorization of it.

The CHAIRMAN. The Chair sustains the point of order.

Mr. KELLEY of Michigan. Mr. Chairman, I send an amendment to the Clerk's desk.

The CHAIRMAN. The gentleman from Michigan offers an amendment, which the Clerk will report.

The Clerk read as follows:

Page 4, line 1, insert the following at the top of the page: "Contingent, Navy: For all emergencies and extraordinary expenses, exclusive of personal services in the Navy Department or any of its subordinate bureaus or offices at Washington, in the District of Columbia, arising at home or abroad, but impossible to be anticipated or classified, to be extended on the approval and authority of the Secretary of the Navy, \$50,000."

Mr. BRITTEN. Mr. Chairman, the amendment is legislation, pure and simple, on an appropriation bill, and is in substance the language which the Chair has just ruled out.

The CHAIRMAN. Does the gentleman make the point of order?

Mr. BRITTEN. Yes.

Mr. KELLEY of Michigan. I understood the Chair to object to the language "and for such other purposes as he may deem proper," but not to the language "to be expended under the direction of the Secretary," because that has been sustained under former rulings, so that I sent up an amendment with the objectionable language stricken out.

The CHAIRMAN. The Chair overrules the point of order.

Mr. POUL. Mr. Chairman, I move to strike out the last word.

The CHAIRMAN. The gentleman from North Carolina moves to strike out the last word.

Mr. POUL. Mr. Chairman, there are a few observations that I would like to make with respect to this bill under consideration. This is my twentieth year of service as a Member of this House. During that time I have consistently followed the policy of aiding in building a great Navy. I wanted my country to have a Navy which would not be conquerable by the navy of any nation of the earth. I voted for the largest number of battleships and submarines, for the biggest appropriations contained in the several naval appropriation bills. I remember very well, under Mr. Roosevelt's administration, that he recommended, with great force, characteristic of the man, four battleships, and I was one of a very small minority. I regret to say, on this side of the aisle who voted for the appropriation for four battleships. I was criticized for that vote, but those who criticized my course have been generous enough to admit that subsequent events vindicated my vote.

I had hoped, Mr. Chairman, that the time would come when I could cease to vote for these enormous appropriations. With all my heart and soul I hoped and believed the result of the World War would put a stop to this enormous waste. A battleship is of little use except to kill or destroy. It has been stated time and again here that out of every dollar of appropriations made by the Congress almost 90 per cent goes for the purpose either of military or naval preparedness. Think of that, if you please. That statement ought to be posted on the walls of every home in America.

God help us if this thing is to continue. And yet I stand here to-day, Mr. Chairman, sick at heart, and say with regret that I see not one single ray of hope for those who are trying to put

an end to these ruinous appropriations for military and naval preparedness. The chairman of the Committee on Military Affairs made a very striking statement on this floor the other day. It was a statement well calculated to shock, but it was nevertheless true. He made the statement that to-day America is without a friend among the great nations of the earth. So far as I am concerned, as much as I regret it, I feel that I have no choice. I shall continue to vote to build up an unconquerable Navy. I shall continue to vote for a Navy, not as great as the greatest navy of the world, but I shall vote, if I am given an opportunity to do so, for a navy which can defeat the navy of any other nation. [Applause.]

Do not, I beg you, misunderstand my position. I would prefer an agreement to disarm. I fervently hope the day will come when the civilized Christian nations will by common agreement stop building these engines of death, but that day is not yet in sight. I do not want to vote for a navy just big enough to be whipped, and as much as my heart revolts against it I shall continue the course I began here 20 years ago—to make America unconquerable on the sea.

Now, I think a mistake was made with respect to the Army. I hate to say it. God knows I wish it were otherwise. But I think you have cut the Army down a little too small. I have given this subject a good deal of thought, and I say here and now that I believe we may as well get ready to fight. We have no friend among the nations of Europe. Some of them look upon us with jealousy, some with hate. Oh, what an opportunity we had! While I did not rise to discuss that question, I can not help bringing these remarks to a close by saying that whoever is responsible for the defeat of the League of Nations will, in my humble judgment, be guilty of the greatest crime against humanity that has been committed in the entire history of this world. [Applause on the Democratic side.]

The CHAIRMAN. The time of the gentleman from North Carolina has expired. The question is on agreeing to the amendment.

The amendment was agreed to.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

Temporary government for West Indian Islands: For expenses incident to the occupation of the Virgin Islands and to the execution of the provisions of the act providing a temporary government for the West Indian Islands acquired by the United States from Denmark, and for other purposes, approved March 3, 1917, to be applied under the direction of the President, \$343,440.

Mr. BRITTEN. Mr. Chairman, I make the point of order against the entire paragraph as being legislation on an appropriation bill. It was added as such, and I can find no authority for the language under the law.

Mr. KELLEY of Michigan. Mr. Chairman, the paragraph tells where the authority can be found—the act of March 3, 1917—for the government of these islands.

Mr. WINGO. Mr. Chairman, will the gentleman permit me?

Mr. KELLEY of Michigan. Yes.

Mr. WINGO. The obligations of the treaty require this.

Mr. KELLEY of Michigan. Yes; the obligations of the treaty require this. This is an act passed in furtherance of the treaty, and the act itself sets out the paragraph under which the appropriation is in order.

Mr. BRITTEN. If that is correct, then this committee could authorize an appropriation of \$1,000,000 for practically anything in the Virgin Islands, without having it referred to any other committee of the House, as pure legislation relating to those islands.

Mr. KELLEY of Michigan. Mr. Chairman, the Navy is the governing body of the Virgin Islands, both under the treaty and under the statute.

The CHAIRMAN. The Chair is of the impression that under the provisions of the statute which were enacted under the authority of the treaty jurisdiction in governmental matters of the Virgin Islands was given temporarily to the Navy Department.

Mr. KELLEY of Michigan. The Chair is right, and the Navy is now in actual control.

The CHAIRMAN. The President is authorized to assign a naval officer there to exercise that jurisdiction, and the act also authorizes the appropriation of money for the expenses incident to the jurisdiction conferred. The Chair thinks this language is fully authorized, and overrules the point of order.

Mr. BEE. Mr. Chairman, I move to strike out the last word, for the purpose of asking the gentleman from Michigan a question. Some months ago a commission was appointed to go to the Virgin Islands to look over the question of establishing a civil government. Has anything been done there by that commission or by Congress with reference to carrying out the purposes of that commission?

Mr. KELLEY of Michigan. So far as I am advised, that matter is before the Committee on Insular Affairs. The gentleman from Iowa [Mr. TOWNER] and others, I think, went down there and looked the islands over, and came back last year and recommended the amount that we then carried in the bill.

Mr. BEE. Did they also recommend that there be a continuance of the naval control instead of civil control?

Mr. KELLEY of Michigan. I do not recall as to that.

Mr. BEE. In other words, it has occurred to me that perhaps the government of these islands ought to be a civil government and that the Navy Department ought to be relieved of that responsibility. I wanted to know whether anything had been done in that regard.

Mr. KELLEY of Michigan. Nothing has been done.

The CHAIRMAN. The pro forma amendment is withdrawn, and the Clerk will read.

The Clerk read as follows:

Expenses, civilian naval consulting board: For actual expenses incurred by and in connection with the civilian naval consulting board, including the services of one clerk, at \$1,400 per annum, for duty in connection with the board at Washington, D. C., \$5,000.

Mr. BRITTEN. Mr. Chairman, I make the point of order against the paragraph as being legislation on an appropriation bill; the words—

For actual expenses incurred by and in connection with the civilian naval consulting board—

having been added to an appropriation bill in 1916, and the balance referring to the pay—

including the services of one clerk, at \$1,400 per annum, for duty in connection with the board at Washington, D. C.—

having been included as legislation on an appropriation bill in 1919, both sections of the paragraph being legislation enacted on an appropriation bill. I make the point of order against it.

Mr. KELLEY of Michigan. Mr. Chairman, I think this paragraph is subject to a point of order. I want to say, however, that this board was created by order of the President or the Secretary of the Navy, I have forgotten which, and it is made up of the most highly scientific men in America.

Mr. MADDEN. It was appointed during the war?

Mr. KELLEY of Michigan. During the war, and it is functioning in a limited way yet. Last year I think the expenses of it were something like \$500. The chairman of this board is Mr. Thomas A. Edison—

Mr. MADDEN. This is a war measure, and the war is still on. It is not subject to the point of order. It is under the war powers of the President.

Mr. KELLEY of Michigan. I should very much dislike to see the paragraph eliminated from the bill, because of the personnel of the board and the great service they rendered during the war. The gentleman from Illinois [Mr. MADDEN] adds that it was a war-emergency authority which still continues, this country being still technically at war. I had not thought of that phase of it, but I am going to ask the gentleman from Illinois [Mr. BRITTEN] if he will not humor me a little by withdrawing his point of order to this paragraph and let it stand.

Mr. BRITTEN. Mr. Chairman, I should like to humor the gentleman to the fullest extent, and to withdraw all of my points of order, but there is a principle attached to my labors here this afternoon.

The CHAIRMAN. Does the gentleman insist on his point of order?

Mr. BRITTEN. Yes; I do.

Mr. MADDEN. Mr. Chairman, I should like to be heard on that. Under the war powers of the President he created this activity. He had the power to do it. He still has that power. It has not been repealed. We are still in a technical state of war, and I maintain that this is perfectly in order until the war ceases.

Mr. BUTLER. Was this board created in 1916 or 1917?

Mr. BRITTEN. In 1916, before we declared war.

Mr. BUTLER. I suggest to the gentleman that he withdraw the point of order.

The CHAIRMAN. Does the gentleman from Pennsylvania desire to discuss the point of order?

Mr. BUTLER. I do not. I only desire, because of the earnest request of the gentleman from Michigan, that the gentleman from Illinois withdraw his point of order.

Mr. BRITTEN. Will the gentleman yield for a question?

Mr. BUTLER. Yes.

Mr. BRITTEN. What will my leader on the Committee on Naval Affairs say to me if Gov. KELLEY repeats his request?

Mr. BUTLER. I will not make any other similar request. This board is composed of highly scientific men, like Mr. Edison. I know the views of Gov. KELLEY on this, and one of the things that he is always particular about is this board.

Mr. BRITTEN. That is very true.

Mr. BUTLER. I want to ask my young friend to accede to Gov. KELLEY's request.

Mr. BRITTEN. I withdraw the point of order at the request of the chairman of the Committee on Naval Affairs.

The CHAIRMAN. The point of order is withdrawn, and the Clerk will read.

The Clerk read as follows:

Aviation, Navy: For aviation, to be expended under the direction of the Secretary of the Navy, as follows: For aircraft and accessories in course of construction or manufacture on June 30, 1921, \$440,000; for navigational, photographic, and aerological equipment, including repairs thereto, for use with aircraft built or building on June 30, 1921, \$49,250; for maintenance, repair, and operation of aircraft factory, helium plant, air stations, fleet activities, testing laboratories, and for overhauling of planes, \$4,534,181; for continuing experiments and development work on all types of aircraft, \$1,615,000; for drafting, clerical, inspection, and messenger service for aircraft stations, \$275,000; in all, \$6,913,431: *Provided*, That the Secretary of the Navy is hereby authorized to consider, ascertain, adjust, determine, and pay out of this appropriation the amounts due on claims for damages which have occurred or may occur to private property growing out of the operations of naval aircraft where such claim does not exceed the sum of \$500: *Provided further*, That all claims adjusted under this authority during any fiscal year shall be reported in detail to the Congress by the Secretary of the Navy: *Provided further*, That no part of this appropriation shall be expended for maintenance of more than six heavier-than-air stations on the coasts of the continental United States: *Provided further*, That no part of this appropriation shall be used for the construction of a factory for the manufacture of airplanes.

Mr. BRITTEN. Mr. Chairman, I reserve a point of order against the entire paragraph.

Mr. KNUTSON. Pending that I should like to ask the chairman of the committee a question if I may.

Mr. KELLEY of Michigan. Had not the gentleman better wait until we see about this point of order? What is the point of order?

The CHAIRMAN. Will the gentleman from Illinois state his point of order?

Mr. BRITTEN. There is no authority in law for aviation in the Navy. Aviation in the Navy has been built up from time to time by current legislation. I am quite certain that the provisos are subject to a point of order. I am in doubt as to just how much of the language down to the proviso in line 7, page 5, is subject to the point of order.

The first proviso, beginning on line 7, page 5, is subject to a point of order, and I make the point of order that the language beginning on line 7, page 5—

Provided, That the Secretary of the Navy is hereby authorized to consider, ascertain, adjust, determine, and pay out of this appropriation the amounts due on claims for damages which have occurred or may occur to private property growing out of the operations of naval aircraft, where such claim does not exceed the sum of \$500—

is legislation on an appropriation bill.

Mr. KELLEY of Michigan. Mr. Chairman, if it will shorten the matter, I will concede that it is subject to the point of order.

The CHAIRMAN. The Chair sustains the point of order made by the gentleman from Illinois as to the proviso on page 5, beginning on line 7.

Mr. BRITTEN. And, Mr. Chairman, I make a point of order against the second proviso and the third proviso, beginning on line 15.

Mr. KELLEY of Michigan. The third proviso is not subject to a point of order, being a limitation on the appropriation.

The CHAIRMAN. Does the gentleman from Michigan concede the point of order to the second proviso?

Mr. KELLEY of Michigan. Yes.

The CHAIRMAN. The Chair sustains the point of order. Does the gentleman from Michigan concede the point of order to the third proviso?

Mr. KELLEY of Michigan. Not at all.

Mr. BRITTEN. Mr. Chairman, I withdraw the point of order as to the third proviso, and I withdraw any further points of order on the paragraph.

Mr. KNUTSON. Mr. Chairman, I move to strike out the last word. I wish to ask the chairman of the committee if the sum carried in this item provides for the continuation of airship construction.

Mr. KELLEY of Michigan. The gentleman has reference to the one that is to be constructed at Lakehurst. I will say to the gentleman that the bill carries only \$480,000 for aircraft and accessories in the course of construction and manufacture on June 30, 1921. I am not quite sure whether any of that material has been actually fabricated, but it probably will be before June 30, 1921. If it were, then it will be a matter of administration for the Secretary of the Navy to use a portion of that fund to carry the work along.

Mr. KNUTSON. The gentleman from Indiana [Mr. WOOD] is a member of the committee, and I will ask him.

Mr. WOOD of Indiana. The bill provides "for continued experiments and development work on all types of aircraft, \$1,615,000."

Mr. KNUTSON. Will that allow the completion of the work at Lakehurst?

Mr. WOOD of Indiana. I do not know where it would be done.

Mr. KNUTSON. But the gentleman would understand that this is for consumption of that kind?

Mr. WOOD of Indiana. It authorizes the continuation of experiments and development work on all types of aircraft.

Mr. HICKS. Mr. Chairman, I offer an amendment which I send to the desk.

The Clerk read as follows:

Amendment offered by Mr. HICKS: Page 5, after the colon, following the figures "\$275,000," on line 6, add: For necessary heavier-than-air craft, \$4,000,500; for necessary lighter-than-air craft, \$670,000; for necessary equipment for such aircraft, \$500,000; for new construction, buildings, and improvements at air stations as follows: Cape May, \$25,000; Coco Solo, \$402,000; Hampton Roads, \$78,000; Lakehurst, \$360,000; Pearl Harbor, \$210,000; Pensacola, \$100,000; San Diego, \$164,000; Pacific Coast Rigid Station, \$1,450,000.

Mr. MONDELL, Mr. MADDEN, and Mr. BLANTON reserved points of order.

Mr. MADDEN. It is new legislation, not authorized by law.

Mr. MONDELL. It is new construction, not authorized by law.

Mr. BLANTON. I make the point of order.

Mr. HICKS. Will not the gentleman reserve it?

Mr. BLANTON. We have spent nearly all day and have not made any progress on the bill. The gentleman from Wyoming has promised to give us a recess after we get through with this bill and the fortification bill. The gentleman from Wyoming shakes his head, and I shall have to make the point of order.

Mr. MONDELL. I did not shake my head.

The CHAIRMAN. The gentleman will state his point of order.

Mr. BLANTON. It is new legislation on an appropriation bill, unauthorized by law. It is for new construction entirely unauthorized by any provision of law.

The CHAIRMAN. Does the gentleman from New York wish to be heard on the point of order?

Mr. HICKS. Yes; Mr. Chairman, with the courtesy of the House, I want to say a word or two as to the necessity of these items.

In the appropriation bill before us there is nothing providing for new aircraft of any kind or for new construction at stations. As the members of the committee know, aircraft are extremely fragile articles. They do not last over 12 or 14 months, and unless we supply new aircraft to the Navy in this bill aviation will have to be curtailed very materially. The chairman of the subcommittee on appropriations did not feel that he could report an item of this kind because of lack of jurisdiction, but I understand he is willing to agree to this amendment in case we get it before the committee, for he realizes the importance of having new aircraft and in having these improvements at the air stations.

I shall address myself now to the point of order. I am not going to endeavor to interpret the new rule under which appropriations are being made. It is too difficult a task to endeavor to understand the meaning of that rule, but I respectfully call the attention of the Chair to the resolution which was passed on June 1, in which certain rules were amended. The rule respecting the subjects to be considered by the Committee on Naval Affairs was amended to read as follows:

The Naval Establishment, including the increase or reduction of commissioned officers and enlisted men and their pay and allowances, and the increase of ships or vessels of all classes of the Navy, to the Committee on Naval Affairs.

I desire first to address my argument to the new rule in conjunction with a ruling in Hinds' Precedents which makes in order an amendment appropriating for a new and otherwise unauthorized battleship. Let me refer, if I may, to the old rule that pertained to items relating to the Naval Establishment. It provided that matters pertaining to the Naval Establishment should be referred to the Committee on Naval Affairs without specifying what they were. Why was that rule amended? Is it not fair to assume that the rule was amended so that there could be no confusion, no uncertainty as to where the jurisdiction should lie for an increase in vessels of the Navy, giving authority for new ships exclusively to the Committee on Naval Affairs? It seems to me that is the only fair and logical conclusion that we can draw from the amendment that we adopted last June.

Let me state what the precedent was in Hinds, because I am claiming that the Naval Affairs Committee has jurisdiction over this matter of aircraft and new ships and new construction, and my amendment has the sanction of that committee.

Mr. SNELL. Mr. Chairman, will the gentleman yield?

Mr. HICKS. Yes.

Mr. SNELL. I am getting somewhat confused by the gentleman's argument. Is the gentleman arguing that the Naval Affairs Committee or the Appropriation Committee has jurisdiction?

Mr. HICKS. The Naval Affairs Committee has jurisdiction over new types of vessels for the Navy, and this amendment of mine, while it comes from a legislative committee having jurisdiction, is in substance an appropriation. I hold it is in order under the precedent referred to.

Mr. SNELL. I know, but this is a bill reported by the Committee on Appropriations.

Mr. HICKS. I understand, and my amendment is an appropriation, but let me complete my argument.

Mr. MONDELL. But—

Mr. HICKS. I will not yield for the moment. I am going to cite the decision from Hinds' Precedents, which, as I understand, has never been overruled and is still looked to as the basic precedent in relation to the increase of the Navy. I quote from Hinds' Precedents, section 3723, volume 4:

By a broad construction of the rule, the principle of which is not generally applied in other matters, an appropriation for a new and not otherwise authorized vessel of the Navy is held to be for continuation of a public work.

I want to read what the Chair said when he rendered that decision, because I believe that is the basis of a great many things which we have done and which we will have to do with respect to the Navy. In that case the point of order was made against an amendment calling for the construction of two new battleships. In overruling the point the Chair stated as follows:

* * * If the work be a public work, or if the object is a public object, and it is already in progress, there need not be any previous legislation authorizing it. The Chair believes that the construction of a navy is a public object or a public work, and the language of the bill which we have been considering, and the appropriation made at the last session, show that construction of the Navy is in progress.

The Government has undertaken to maintain, and is annually maintaining, a Naval Establishment, and under the rule appropriations may be made for it in a general appropriation bill, and such has always been the practice until last session. * * *

There is no law prescribing the number of ships that shall constitute the Navy or the number of guns they shall carry.

It seems to me, Mr. Chairman, that in the first place the Committee on Naval Affairs, having jurisdiction over the number of ships, this amendment which I am now offering is not an amendment offered as an individual Member of Congress, but an amendment offered in the name and with the power and with the authority of the Committee on Naval Affairs. This amendment was considered by our committee and hearings were held upon it. Let me repeat, it is not a legislative proviso, but an appropriation to an appropriation bill.

I claim this amendment is in order under the precedent I have just referred to. It may be claimed that the Appropriation Committee could not bring in such an amendment. Of that I do not know. If my contention is not sound and the amendment should stand solely on the ground that it is an appropriation, and I am not sure but what this is the safest contention, then I will approach the subject from an entirely different angle. I rest my argument wholly upon the precedent already referred to and contend that it is in order as a continuation of a public project. Aviation is just as much an essential part of the Navy as are the submarines or the mine destroyers. It is not an experiment but a reality; not a theory but a fact; and I claim it is a public work and that aviation is a necessary arm of the service. Some may answer that aircraft are not vessels under the meaning of that term. I concede that according to the old maritime law of Great Britain, which to a large extent we have followed, it was held until lately that a ship was a vessel to navigate the waters, propelled by some other means than by oars, but in Funk & Wagnall's Dictionary I find the following definition of a ship. In addition to a vessel for surface navigation there is this definition:

Something resembling a ship. To be specific, a vessel for navigating the air, as an airship.

I claim that a vessel of the air, an airship, is as much a ship as a vessel floating on the surface of the water. Should there be further disputation that airships do not come under the title of ships as separate units, then let me advance this line of thought and suggest that they are necessary adjuncts of the ship itself, as essential as guns or instruments.

I claim that an airship is nothing more or less than the projection of the masts of a ship above the water and of the guns on that ship. You do not have to authorize the number of masts which a warship shall have, and we do not authorize the number of guns that the warship shall carry. On every warship we have on the mast a crow's nest, and in that nest men are stationed for purposes of observation. They are there to

scan the horizon for enemy craft and to detect the effect of gunfire, and when we send up into the air a balloon or an airplane we are merely carrying upward into the air, or projecting into distance, the observers in that crow's nest, giving them greater facilities of observing the enemy and of noting the fire of our guns. In other words, that airplane or balloon is merely projecting the observation station on the mast; and I claim also that the guns are projected by means of aircraft.

Instead of a range of 20 miles from a 16-inch gun, by having an airplane leave the deck of the vessel, or leave the turret of the vessel—and many of these ships now have constructed from the turret to the muzzle of the gun a run-off platform—when these aircraft leave a warship equipped with offensive weapons, such as a torpedo or bomb, they are only increasing the firing range of the gun itself by carrying perhaps 200 miles the high-explosive charge before launching it at the enemy target. So on this contention, Mr. Chairman, I hold that under the broad authority of the Navy Department to supply vessels of war with essential equipment, the specific authorization for which does not have to be made, this amendment is in order. As to the construction items, I will speak of that later if desired.

The CHAIRMAN. Will the gentleman from New York permit the Chair to propound an inquiry?

Mr. HICKS. I will; certainly.

The CHAIRMAN. Does the gentleman admit that this is a provision for an increase in the ships or vessels of the Navy?

Mr. HICKS. I did not catch the query.

The CHAIRMAN. Does the gentleman from New York admit that his amendment provides for an increase of the vessels of the Navy?

Mr. HICKS. Yes, sir; I do, and have recited the ruling in *Hinds* to support it.

The CHAIRMAN. Does the gentleman from Wyoming desire to be heard on the point of order?

Mr. MONDELL. Mr. Chairman, I rise to the defense of the Committee on Naval Affairs in its jurisdiction and as against the assault of the dignity and jurisdiction of that committee by members of the committee. We have heard a good deal here in the last few days about matters of principle in connection with points of order, and we have been told that it was a matter of principle to make a point of order against an item that had been carried by common consent in an appropriation bill for many years and which everyone, including the gentleman who made the point of order, approved both as to its purpose and its amount. We have been told that was a matter of principle. It has been a little difficult for some of us to understand just what the principle was or where it came in, but at any rate we had an idea that no matter how mistaken may have been the idea of the utilization of those opportunities to make points of order the purpose may have been a hazy notion of protecting the jurisdiction of the legislative committee. Mr. Chairman, I feel it is my duty to do that. I think it is highly important that under the new rules under which appropriations are made by one committee that committee shall not be allowed under any pretext, after the opportunity for legislation has been had covering the matter, to encroach upon the jurisdiction of the legislating committees, yet to-day we have the remarkable spectacle of a member of a legislative committee endeavoring to argue away the entire or at least the most important jurisdiction of the committee of which he is a member by claiming that you may place on an appropriation bill reported by the Committee on Appropriations an item for a new program of new ships for the Navy—in this case, ships of the air. Mr. Chairman, such an item would not be in order on this bill if there were no provision in the new rule, such as has been referred to, even though the new rule did not specifically retain within the jurisdiction of the Naval Committee the matter of increase of ships and vessels. Under the general rules of the House the Committee on Appropriations would have no authority to present an item of this kind for new construction. But in this case we have the specific provision of a rule clear, definite, and unmistakable, and this being true, the Committee on Naval Affairs will be saved from this attempted assault upon its authority and jurisdiction by one of its members.

Mr. MANN of Illinois. Will the gentleman yield for a question?

Mr. MONDELL. Yes.

Mr. MANN of Illinois. Largely for information. Under the old rule it was in order on an appropriation bill to provide for a new vessel in the Navy of a type already in existence. Under the change of rules, is that eliminated so that now there can be no increase of any type of vessel in the Navy without having previous legislation each year authorizing what the increase shall be?

Mr. MONDELL. I am inclined to think so.

Mr. MANN of Illinois. So that hereafter if that rule is followed if you have a thousand airships in the Navy you can not make it a thousand and one any year without having previous legislative authority to do it and enact it into law, passed by both Houses of Congress and signed by the President?

Mr. MONDELL. Oh, no; not necessarily. Provision may be made for a specific number. The legislative committee having the matter in charge may make general provision by limitation, or it may provide specific authority, but without some authority, general or specific, from the legislative committee it seems quite clear under the rule that we have adopted that the Committee on Appropriations could not provide for new vessels, which, I think, would include airships.

Mr. MANN of Illinois. So that hereafter if that rule is to be followed, there can be no increase of a rowboat in the Navy unless you have legislation in advance authorizing that vessel?

Mr. MONDELL. I think that is true as to vessels. I doubt if it includes rowboats, but of course this is also true—

Mr. MANN of Illinois. It goes quite a ways.

Mr. MONDELL. I realize it does; but it is intended to protect the legislative committees against encroachment by the appropriating committee.

Mr. MANN of Illinois. Well, I do not know; I really had no idea anybody in the House—

Mr. MONDELL. I say my view of it is this, and this is borne out by the rulings of the Chair. There are a variety of governmental activities which are essential appropriations for which have been held not in order on an appropriation bill previously, and I think properly, by Chairmen. For instance, it has been held we can not hire an Indian policeman now without legislation on the subject by the proper legislative committee. All this being true, there must be legislation by the legislative committees before we can pass these bills free from points of order. I hope we may have that legislation early in the new session. It will become the duty of the legislative committees of the new Congress, a duty which I hope they will address themselves to promptly, vigorously, and actively, to draft the necessary legislation to provide the proper and essential authority under which the appropriating committee may appropriate. Just how that will be done in certain cases I do not pretend to say. Returning to the matter in hand, I do know that new construction, using the term in its general sense, has not been held to be authorized on appropriation bills unless provided for by the legislative committee.

The CHAIRMAN. Will the gentleman from Wyoming permit the Chair to ask him a question? Does the gentleman from Wyoming contend that the amendment of the gentleman from New York [Mr. Hicks] is subject to a point of order?

Mr. MONDELL. The Chair comes from New England. May I ask the Chair, with all due deference, if he understood that the gentleman from New York was arguing that his amendment was in order?

Mr. BLANTON. Mr. Chairman, I make the point of order against the gentleman's speech. It is all right for him to question the good faith of his colleague, the gentleman from New York, but not of the Chair.

The CHAIRMAN. The Chair overrules the point of order of the gentleman from Texas. The Chair understood that the gentleman from New York [Mr. Hicks] submitted an argument to the Chair to the effect that his amendment was in order.

Mr. MONDELL. Mr. Chairman, I endeavored to the best of my ability to convince the Chair that the amendment was not in order; that it would not be in order under the ordinary rules of the House; that it certainly is not in order in view of the new rule which provides specifically that jurisdiction over the authorization for new vessels should rest with the Committee on Naval Affairs.

The gentleman from New York [Mr. Hicks] submitted a curious argument—at least, it seemed to me curious—while arguing, as I understood it, that his motion was in order, he also argued, if I understood him, at the same time that it was not in order, but was made in order because presented by a member of the Naval Committee. That is a rather attenuated and extraordinary line of reasoning, it occurs to me, to the effect that the authority of committees may be invoked and exercised by individual members of the committees offering amendments from the floor.

Mr. SNELL. Mr. Chairman, I would like to have one minute. My colleague from New York [Mr. Hicks] made a very long argument and a very good one, but if I understand the point before the House he did not touch on it a single minute. He was arguing all the time as to what the Committee on Naval Affairs is doing. That committee is not before the House with

a bill at the present time. This is a matter entirely with the appropriating committee, that has no power of legislation, and for that reason the whole argument of the gentleman did not touch the point before the House now. Everybody admits it is new legislation, and it positively can not be permitted at this time. We are not operating under the old rules. This is an appropriating committee.

Mr. BUTLER. Does not the gentleman think it would be in order, if it were not for the new rule, because we have been appropriating for years for ships of the same style, and this is the same style of airship we appropriated for last year?

Mr. SNELL. The rule is in existence, and we are operating under that at the present time.

Mr. BUTLER. I understand.

Mr. HICKS. I would like to ask my colleague if he thinks that the old precedent I have cited has been abrogated by this new rule?

Mr. SNELL. Yes; for the simple reason that we were not operating at that time under it, and the Naval Affairs Committee has nothing before the House.

The CHAIRMAN. The Chair is ready to rule, if gentlemen desire the Chair should rule now.

The gentleman from New York [Mr. HICKS] has offered an amendment to provide for necessary heavier-than-air craft and necessary lighter-than-air craft, necessary equipment, and so forth, and new construction work, to which the gentleman from Texas [Mr. BLANTON] makes the point of order that it is not in order upon an appropriation bill. The Chair believes that because of the adoption of a new rule placing the appropriations for the Naval Establishment in the Appropriations Committee and changing somewhat the jurisdiction of the Committee on Naval Affairs, that it would be well to direct the attention of the committee to paragraph 13 of Rule XI as amended, which paragraph is a part of the rule, the first part of which reads as follows:

All proposed legislation shall be referred to the committees named in the preceding rule as follows, viz: Subjects relating to the Naval Establishment, including increase or reduction of commissioned officers and enlisted men and their pay and allowances, and the increase of ships or vessels of all classes of the Navy, to the Committee on Naval Affairs.

The gentleman from New York contends, if the Chair understood him correctly, that he offers this amendment with the approval of the Naval Committee, of which he is a member.

Mr. HICKS. If the Chair will permit, and also by the direction of the Naval Affairs Committee.

The CHAIRMAN. With the approval and direction of the Committee on Naval Affairs, of which the gentleman from New York is a member. And the Chair is, of course, willing to accept the statement of the gentleman from New York that that is correct, and assumes that the committee may have taken action upon the proposed amendment authorizing the gentleman from New York to offer it to this particular bill, but this authority adds nothing to the question.

Heretofore, under the rules of the House as interpreted by the various presiding officers, the addition of a new ship might be provided for in an appropriation bill which was, under the former rules, reported by the Committee on Naval Affairs. The Chair believes that under the language of the new rule, which seems to be plain and specific, that the increase of ships and vessels of all classes of the Navy is a matter now solely within the jurisdiction of the Committee on Naval Affairs, and that if it is desired to increase the number of ships or vessels of any particular class within the Naval Establishment hereafter the requirements of that rule will make it necessary that there be specific or general legislation authorizing it.

The Chair is not aware of any such legislation, nor has any been called to his attention, which would permit the increase provided for in the amendment. Therefore, the Chair sustains the point of order.

Mr. LITTLE. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman from Kansas will state his parliamentary inquiry.

Mr. LITTLE. Under the former naval appropriation bills reported from the Committee on Naval Affairs would these things now under discussion have been considered to be new legislation put in an appropriation bill from the Naval Committee?

The CHAIRMAN. The Chair does not exactly understand the gentleman's inquiry.

Mr. LITTLE. Suppose that the Committee on Naval Affairs, under the former rules, had brought in this appropriation bill; do I understand that they could have inserted this provision in the bill at first?

The CHAIRMAN. The Chair would state that under the former rules, as interpreted, the addition of an additional ship

in an appropriation bill was held to be in order as the continuation of a public work.

Mr. LITTLE. Now, I return to the inquiry I was trying to make: Would that have been considered new legislation in that bill? It seems it is in order to add a ship.

The CHAIRMAN. The Chair does not know what the gentleman means by that.

Mr. LITTLE. As I understand the former rule, if they had undertaken to put anything in the way of new legislation in their appropriation bill it would have been out of order.

The CHAIRMAN. It would not have been out of order if it provided for the continuation of a public work in the Naval Establishment.

Mr. LITTLE. I have not been able evidently to make my parliamentary inquiry quite clear to the Chair. I think I can restate it better. Under the old system they could bring in an appropriation bill from the Committee on Naval Affairs and could add a ship. Was that because of the fact that they were authorized to put new legislation into their appropriation bills?

The CHAIRMAN. Under the rulings it was held that it was the continuation of an existing public work.

Mr. LITTLE. Then why is it not now?

The CHAIRMAN. Because the rules require now that the increase of ships and vessels of the Navy shall go to the Committee on Naval Affairs.

Mr. LITTLE. That has already been there.

The CHAIRMAN. The Chair does not desire to discuss the point of order which he has already sustained.

Mr. LITTLE. I would be glad to have the Chair explain it so that we would know what to expect in the future.

Mr. KELLEY of Michigan. I move to amend, page 5, line 15, after the word "Provided," by striking out the word "further."

Mr. BLANTON. Mr. Chairman, a point of order.

The CHAIRMAN. The gentleman will state it.

Mr. BLANTON. I make the point of order that where a Member from the Democratic side makes a point of order against a paragraph in the bill and a Member from the Republican side merely reserves the point of order, the Chair, in deciding the point of order, should state whose point of order it is that he is deciding. The Chair in this instance stated that the point of order was made by the gentleman from Illinois [Mr. MADDEN]. As a matter of fact, he merely reserved it. The point of order was made by the "gentleman from Texas."

The CHAIRMAN. The Chair is in error, and the Chair is indeed glad to concede that the honor of making the point of order to the amendment of the gentleman from New York [Mr. HICKS] belongs to his able and genial and alert friend, the gentleman from Texas. [Laughter.]

Mr. BLANTON. It is an honor to help save hundreds of millions of dollars.

The CHAIRMAN. The Chair knows that to be the fact. The Chair regrets that he forgot that the gentleman from Texas was, as usual, on the job, making points of order when amendments were offered. The question is on agreeing to the amendment offered by the gentleman from Michigan.

The amendment was agreed to.

Mr. POUL. Mr. Chairman, I ask unanimous consent to revise and extend my remarks.

The CHAIRMAN. The gentleman from North Carolina asks unanimous consent to revise and extend his remarks. Is there objection?

Mr. McCLINTIC. Mr. Chairman, I regret, but I have objected to the others, and I have to be consistent.

The CHAIRMAN. The gentleman from Oklahoma objects.

Mr. MOORE of Virginia. Mr. Chairman, I want to ask a question of the gentleman in charge of the bill, not relative to the matter over which his committee has jurisdiction but a matter that was mentioned when the Army appropriation bill was under consideration some days ago. Has the gentleman made any investigation as to the expediency of the consolidation of the various air services? It has been stated here that the total expenditures for these services are now something like \$20,000,000 per annum. The gentleman from Indiana [Mr. WOOD], as you will recall, and probably the gentleman from Illinois [Mr. MANN], spoke on that subject, and it would be interesting to know whether the chairman of the committee has considered that subject at all or reached any conclusion about it.

Mr. KELLEY of Michigan. I will say to the gentleman, Mr. Chairman, that the Committee on Appropriations, of course, would have no jurisdiction over the general subject matter, and therefore the committee has not given it any serious consideration.

Mr. BUTLER. Mr. Chairman, will the gentleman yield?

Mr. MOORE of Virginia. Yes.

Mr. BUTLER. I will say to the gentleman that the Committee on Naval Affairs of the House, not being overloaded with work now, is spending some time on that subject. We are looking around for something to do, I will say to the gentleman. [Laughter.]

Mr. LITTLE. Mr. Chairman, I move to strike out the last two words.

The CHAIRMAN. The gentleman from Kansas moves to strike out the last two words.

Mr. LITTLE. Mr. Chairman, reverting to the previous amendment, if it was in order before the Committee on Naval Affairs when it brought in an appropriation bill, it must have been in order because it was not new legislation. If it was new legislation, it would not be in order before the Committee on Naval Affairs when it brought in its appropriation bill.

Mr. STEVENSON. Mr. Chairman, will the gentleman yield?

Mr. LITTLE. In one second. If it was new legislation it would not be in order on the naval appropriation bill at all. Therefore it could not have been new legislation. If it was not new legislation then, it is not now, and it will be just as much in order now as before the appropriation was brought here, as much as it was the old way.

Mr. STEVENSON. Is not this the rule, that under the old rule new legislation was permissible when it reduced the amount appropriated, when it put a limitation on the appropriation, and when it provided for the continuation of an existing project, and this was providing for the continuation of an existing project? It was new legislation, but it came within the exception to the rule. Is not that the case?

Mr. LITTLE. It may be.

Mr. STEVENSON. That is my understanding.

Mr. LITTLE. The gentleman has offered an argument, but the rule was that if the committee wanted to continue an existing project they could do so; but that meant that the appropriation bill was not creating new legislation when they did that, and the same rule applies here. I do not believe the gentleman's argument is decisive.

Mr. STEVENSON. I think you will find that is the rule.

The CHAIRMAN. Without objection the pro forma amendment will be withdrawn and the Clerk will read.

The Clerk read as follows:

BUREAU OF NAVIGATION.

Transportation and recruiting: For travel allowance of enlisted men discharged on account of expiration of enlistment; transportation of enlisted men and apprentice seamen and applicants for enlistment at home and abroad, with subsistence and transfers en route, or cash in lieu thereof; transportation to their homes, if residents of the United States, of enlisted men and apprentice seamen discharged on medical survey, with subsistence and transfers en route, or cash in lieu thereof; transportation of sick or insane enlisted men and apprentice seamen to hospitals, with subsistence and transfers en route, or cash in lieu thereof; transportation of enlisted men of the Naval Reserve Force to and from duty, with subsistence and transfers en route, or cash in lieu thereof; transportation of civilian officers and crews of naval auxiliaries; apprehension and delivery of deserters and stragglers, and for railway guides and other expenses incident to transportation; expenses of recruiting for the naval service; rent of rendezvous and expenses of maintaining the same; advertising for and obtaining men and apprentice seamen; actual and necessary expenses in lieu of mileage to officers on duty with traveling recruiting parties; transportation of dependents of enlisted men, \$3,500,000.

Mr. BRITTEN. Mr. Chairman, I desire to make a point of order against the entire paragraph, and specifically against certain sentences or sections thereof.

I call the attention of the Chair to the language in line 13, on page 6—

Transportation of enlisted men and apprentice seamen and applicants for enlistment at home and abroad, with subsistence and transfers en route, or cash in lieu thereof—

as being legislation on an appropriation bill, and I make the point of order specifically against the last four or five words— or cash in lieu thereof.

The CHAIRMAN. Does the gentleman make the point of order that it is legislation?

Mr. BRITTEN. Yes.

Mr. KELLEY of Michigan. Mr. Chairman, this is authorized by law. Section 2847 of the compiled statutes provides that—

The Secretary of the Navy is authorized to continue to purchase such mileage books, commutation tickets, and other similar transportation tickets as may in his discretion seem necessary, and to furnish same to officers and others ordered to perform travel on official business; and payment for such transportation tickets upon their receipt, in accordance with commercial usage, or prior to the actual performance of the travel involved, shall not be regarded as an advance of public money within the meaning of section 3648 of the Revised Statutes.

The CHAIRMAN. The gentleman from Illinois [Mr. BRITTEN] makes the point of order against the language in lines 13, 14, 15, and 16—

Transportation of enlisted men and apprentice seamen and applicants for enlistment at home and abroad, with subsistence and transfers en route, or cash in lieu thereof.

Mr. BRITTEN. Mr. Chairman, I particularly call the attention of the Chair to the language— or cash in lieu thereof.

The CHAIRMAN. The gentleman from Michigan cites section 2847 of the compiled statutes, which reads:

Mileage books or commutation tickets: The Secretary of the Navy is authorized to continue to purchase such mileage books, commutation tickets, and other similar transportation tickets as may in his discretion seem necessary, and to furnish same to officers and others ordered to perform travel on official business; and payment for such transportation tickets upon their receipt, in accordance with commercial usage, or prior to the actual performance of the travel involved, shall not be regarded as an advance of public money within the meaning of section 3648 of the Revised Statutes.

The Chair finds nothing in this section providing for furnishing travel to applicants for enlistment at home or abroad.

Mr. KELLEY of Michigan. I offer as an amendment the same paragraph with the words "and applicants for enlistment at home and abroad" stricken out.

The CHAIRMAN. The gentleman from Michigan offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. KELLEY of Michigan: Page 6, line 13, after the word "enlistment," insert "transportation of enlisted men and apprentice seamen, with subsistence and transfers en route, or cash in lieu thereof."

Mr. BRITTEN. Mr. Chairman, I contend that the paragraph is still subject to the point of order. There is nothing in the law which the gentleman from Michigan read which indicates that the Secretary is authorized to give cash in lieu of transportation.

Mr. KELLEY of Michigan. Mr. Chairman, in addition to the direct authorization contained in that paragraph, I want to call particular attention to the fact that it would be impossible to get the enlisted men from training school to ship unless they were furnished transportation. It is an incident to the enlistment of the Navy. It would be utterly useless to go to the expense of enlisting boys and putting them in the training schools and taking them through the training and then be unable to get them to the ships. It is a necessary incidental part of the movement of the men of the Navy, in addition to the fact that it is directly authorized. They could not operate the Navy without the authority to move the men about within the Navy. The Secretary can order men where he pleases within the Navy and, of course, the authority to transport them is incidental to the exercise of that authority.

Mr. BRITTEN. Mr. Chairman, there is no question about the transportation being incidental to activity in the Navy, but there is nothing in the law which suggests the giving of cash in lieu of transportation.

Mr. MADDEN. Mr. Chairman, I should like to be heard on that question.

Mr. BRITTEN. One moment, if my colleague please.

Mr. MADDEN. Certainly.

Mr. BRITTEN. The gentleman from Michigan said it would be impossible to get men from the training station to the ship. Why, the men are sent to the ship in the usual way, by transportation. Tickets are purchased. There is nothing in the law which says these men shall be given "cash in lieu of transportation." I suggest that that language is subject to the point of order.

Mr. KELLEY of Michigan. The fact is that in a great many cases there is no pay officer on board ship, and in those cases the tickets are not furnished, but the commander of the ship directs the boys to go ashore, and gives them the necessary money to pay for transportation. They may be sick. Their enlistment may be expiring. There are numerous cases where it would be necessary for him to direct the movement of men on his ship which would involve transportation, and wherever there is no pay officer on board the commander of the ship gives them cash in lieu of the tickets. Nobody except the pay officer is authorized to buy tickets. So if a man is discharged, there are times when it would be impossible to get him ashore except for this provision.

The CHAIRMAN. There is nothing in the section which the gentleman has cited which provides for the payment of cash in lieu of mileage or transportation.

Mr. BRITTEN. The bill specifically provides for mileage of men discharged from the service in another section.

Mr. KELLEY of Michigan. This is a provision authorizing transportation, whether it is a ticket, a mileage book, or cash, the amount is the same. But there are times when nobody has authority to buy mileage books or tickets. In that case it is necessary for the commanding officer to furnish the money.

Mr. MADDEN. Suppose a man was discharged from the service in the port of New York and he lived in Chicago. He

would be entitled to transportation home. Suppose he did not want to go home, would he not be entitled to the cash?

Mr. BRITTEN. The law expressly provides for that under another section. They are discharged from the service and if they do not want to go home from the place of enlistment they are given currency, but that is a different matter. This is for enlisted men remaining in the service, and it has nothing to do with discharging men.

Mr. KELLEY of Michigan. Undoubtedly this relates to the movement of men within the Navy. The President and the Secretary of the Navy are authorized to man ships, to put men aboard, and transfer them from one place to another. Where there is no pay officer it is necessary to put up the money to pay for the transportation. The cost is the same either way.

The CHAIRMAN. Can the gentleman from Michigan cite any authority for the payment of cash in lieu of transportation?

Mr. KELLEY of Michigan. Not any direct authority, Mr. Chairman, but there is authority for furnishing mileage books or tickets. The Navy must always be in a position to move the men from one ship to another. They can do that by furnishing mileage books or tickets, or they can do it by furnishing money and it does not matter which, but the authority to send men from one place to another carries with it the incidental authority to buy the tickets or furnish the cash. Where there is no officer authorized to buy mileage books, the only way is to give them the money.

The CHAIRMAN. The Chair will direct the attention of the gentleman from Michigan to the section of the statute referred to in the authorization which he has cited, section 3648 of the Revised Statutes, which reads as follows:

No advance of public money shall be made in any case whatever. And in all cases of contracts for the performance of any service, or the delivery of articles of any description, for the use of the United States, payment shall not exceed the value of the services rendered, or of the articles delivered previously to such payment.

Mr. KELLEY of Michigan. This would not be an advance. This is an expense of the Government for the transfer of men from one ship to another or from ship to port or from training school to ship. In the event that there is no paymaster about authorized to buy tickets, the money is supplied by the commanding officer.

The CHAIRMAN. The section the gentleman calls the attention of the Chair to does not authorize that to be done.

Mr. KELLEY of Michigan. I think the section does authorize transportation within the Navy of whatever kind may be necessary. But even if there was no direct authority for transportation in the Navy the department would have it because it would be impossible to move the men about; without it you could not run the ships.

The CHAIRMAN. Is that all the authority the gentleman from Michigan desires to submit?

Mr. KELLEY of Michigan. It may not be all I desire to submit, but it is all I have at hand.

The CHAIRMAN. The Chair thinks the language providing for cash in lieu thereof is subject to a point of order, and the Chair sustains the point of order.

Mr. KELLEY of Michigan. Mr. Chairman, I move to amend so as to make it read "transportation of enlisted men and apprentice seamen at home and abroad with subsistence and transfer en route."

The CHAIRMAN. The Clerk will report the amendment. The Clerk read as follows:

Page 6, line 13, after the word "enlistment," insert: "Transportation of enlisted men and apprentice seamen at home and abroad with subsistence and transfer en route."

The CHAIRMAN. The question is on the amendment. The amendment was agreed to.

Mr. BRITTEN. Mr. Chairman, I rise to make the point of order against this language: Line 23, on page 6, of the bill, "or cash in lieu thereof."

The CHAIRMAN. The Chair thinks that the gentleman from Illinois having made a point of order, and an amendment having been offered and agreed to that, another point of order in this paragraph now comes too late.

Mr. BRITTEN. I call the attention of the Chair to the fact that I was on my feet.

The CHAIRMAN. The gentleman clearly was not on his feet when we agreed to the amendment of the gentleman from Michigan. The gentleman made a point of order to that amendment, and the amendment has been agreed to.

Mr. BRITTEN. Allowing the Chair to be correct about my not being on my feet at that moment, the Chair will recollect that I suggested that I had various points of order to make.

The CHAIRMAN. But the gentleman permitted an amendment to be agreed to and perfected after he had made the point of order to the amendment. The Chair thinks that the gentleman

could have insisted upon his rights and prevented action upon that amendment, but the Chair feels that it is now too late to raise the point of order. The Clerk will read.

The Clerk read as follows:

The Bureau of Navigation, Navy Department, is hereby directed to furnish to the proper officers in the several States, Territories, insular possessions, and the District of Columbia, on or before October 31, 1921, statements of the services of all persons from those several places who served in the Navy during the War with Germany, and for that purpose an additional sum not to exceed \$50,000 is hereby appropriated for obtaining the necessary material and the employment of the necessary clerical force.

Mr. BRITTEN. Mr. Chairman, I make the point of order against the entire paragraph.

The CHAIRMAN. The gentleman will state his point of order.

Mr. BRITTEN. It is legislation on an appropriation bill.

Mr. KELLEY of Michigan. Mr. Chairman, this paragraph is not subject to the point of order. I cite section 3717-a, volume 4, Hinds' Precedents:

An appropriation to complete a list of claims was held to be in continuation of a public work or object.

This is a case where the Navy Department is furnishing a record of the men who served during the war for the various States of the Union, and it will take about three months more with about the same force they have now to finish the work. It is merely the continuation of a work in progress.

The CHAIRMAN. This language seems to direct the Navy Department to furnish this information to the proper officers in the several States.

Mr. KELLEY of Michigan. This language directs the Navy Department to furnish the record of the men who were in the service during the war to the various States. This was done last year. This carries the same language that was in the bill of last year, and the work has been in progress for a year. A part of the record has been finished, and it will probably take about three months more to complete it and get it out to all of the States. It is obviously a work that is now in progress.

Mr. BRITTEN. Mr. Chairman, I would suggest that this language is clearly legislation on an appropriation bill. It is not incidental to the management of the Navy or to the management of the Naval Establishment. It comes as a request from the State officers to be furnished with a record of the enlisted personnel during the war. It has nothing whatever to do with the maintenance of the Navy. It is merely the compiling of records, for State officers. I agree with the gentleman that it is now in progress.

Mr. KELLEY of Michigan. This section was subject to the point of order in the bill last year when reported by the Committee on Naval Affairs. It was then legislation, no doubt, directing the Navy Department to furnish these records.

The CHAIRMAN. But they were directed in the paragraph last year to furnish them before June 30, 1921.

Mr. KELLEY of Michigan. But the records at that time will be incomplete. The work is in progress, and they can not finish it within that time. Having begun the work, the work is now in progress. Of course, if it could be finished by June 30, 1921, we would not have the paragraph in the bill at all, but it is to continue the work that is in existence, to finish it. That principle goes not only to a list like this, but to finishing a building or anything that is started, so long as it is started by law. It is in order, after once begun, to appropriate for it. They could have objected to this paragraph last year, but not having done so, the authority to do this work was granted and the work has not yet been finished, and we are asking for this appropriation to finish it.

Mr. CONNALLY. Mr. Chairman, I want to reinforce the suggestion made by the gentleman from Michigan [Mr. KELLEY] that since this language is contained in the appropriation act for 1921 it is current law. It is now the law for this current year, and by that law the Secretary of the Navy is directed to do a certain thing. The Secretary of the Navy is presumed, I am sure, to be doing that particular thing, but he has not yet completed it. It is in the process of being completed. Let us say, for example, that instead of directing the Secretary of the Navy to prepare this list and forward it to the various States, the bill had directed the Navy to build a battleship and is now building the battleship and it is uncompleted, either because of lack of funds or of proper men to build the ships. If, under existing current law, the building of that battleship is authorized and it is in the course of construction, even though the Secretary of the Navy can not complete it by the end of the present fiscal year, which seems to be in the mind of the Chair as one of the reasons perhaps arguing in favor of the point of order, yet that is no reason why we have not authority now to make an appropriation for the continuation of that project. It seems

to me the same rule would apply with reference to completing the compilation of these lists of names and supplying them to the various States that would apply in the case of a public building that was uncompleted or in the case of a battleship.

Mr. LITTLE. Mr. Chairman, will the gentleman yield?

Mr. CONNALLY. Yes.

Mr. LITTLE. In view of the difficulty we have had about the number of men in the Army, does not the gentleman think that his presumption that the Secretary is obeying the law is rather a violent presumption?

Mr. CONNALLY. Oh, I would say that the Secretary of the Navy, even during all of this discussion, has been singularly absolved from any dereliction of duty. I do not think the gentleman is right in inferring that he is not doing his duty. The presumption is that the Secretary is carrying on this work, and I am sure the gentleman from Michigan has the knowledge of that in his possession.

Mr. KELLEY of Michigan. It is nearly finished.

Mr. CONNALLY. It seems to me that since it is now in progress and is authorized by law, that we can appropriate money to complete the work. We find now that the Secretary can not do that unless the House grants him a further sum of money.

Mr. BRITTEN. Mr. Chairman, will the gentleman yield?

Mr. CONNALLY. Yes.

Mr. BRITTEN. The House did direct, under legislation last year, the Secretary to do a certain thing by a certain time.

Mr. CONNALLY. I assume that it did.

Mr. BRITTEN. That time was the 30th of June, 1921, and that time has not yet arrived.

Mr. CONNALLY. There is no inconsistency there, because June 30 is the end of the appropriation year.

Mr. KELLEY of Michigan. And, unfortunately for the contention of the gentleman from Illinois, that was the very provision contained in the act to which I directed the attention of the Chair. The paragraph there read as follows:

To enable the Clerk of the House to prepare and complete a digested summary and alphabetical list of private claims presented to the House of Representatives from the Fifty-second to the Fifty-seventh Congress, inclusive, three clerks, at \$1,600 each, during the fiscal year 1903; in all, \$4,800. And said work shall be completed and ready to be printed on or before July 30, 1904.

The situations are exactly identical. I do not believe it would be humanly possible to distinguish between this case and the case that is involved in this paragraph.

Mr. CONNALLY. Mr. Chairman, it appears to me the appropriation would be in order. There might be some question about the authority of the House to direct the Secretary of the Navy to complete this list, because that might be held to be legislation, but so far as the actual appropriation is concerned it does not seem to me there can be any serious question of the power of the House to make it in this bill.

Mr. BRITTEN. Mr. Chairman, I suggest to the Chair this language, which appeared in the appropriation bill June 4, 1920, the bill passed last year for the present fiscal year directs the Secretary of the Navy to compile certain data for certain State officials on or before June 30, 1921. Now, June 30, 1921, has not yet arrived. We do not know whether he is going to complete the compiling of that data for these officials before June 30, 1921. Some one may think he is not going to do it, so the Appropriations Committee extends the time to October 31, 1921, legislation pure and simple on an appropriation bill. I think the entire paragraph is subject to the point of order.

The CHAIRMAN. The Chair sustains the point of order.

Mr. KELLEY of Michigan. Mr. Chairman, I offer an amendment to take the place of the paragraph stricken out.

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Amendment by Mr. KELLEY of Michigan: Page 7, following line 7, insert the following:

"To enable the Bureau of Navigation, Navy Department, to complete—

Mr. BRITTEN. Mr. Chairman, I do not quite comprehend where this amendment is intended to come in.

Mr. KELLEY of Michigan. To take the place of what is stricken out.

The Clerk read as follows:

Page 7, following line 7, insert:

"To enable the Bureau of Navigation, Navy Department, to complete the work of furnishing the proper officers in the several States, Territories, insular possessions, and the District of Columbia, on or before October 31, 1921, statements of the services of all persons from those several places who served in the Navy during the war with Germany, and the employment of the necessary clerical force, \$50,000."

Mr. BRITTEN. Mr. Chairman, I make the point of order.

Mr. KELLEY of Michigan. What is the point of order?

Mr. BRITTEN. That it is legislation on an appropriation bill for which there is no existing law, that it is not incidental

to the Navy or the management of the Navy. It can not be suggested to the House that this is incidental to the Navy or the Navy Department.

Mr. KELLEY of Michigan. I am basing its right to be in the bill on the ground that the work has been authorized, and it is partly finished, and this is an appropriation to complete it, and we limit the time in this to the 31st of October, because we wish to put a limitation for clerk hire, which is proper.

Mr. MANN of Illinois. Will the gentleman yield for a question?

Mr. KELLEY of Michigan. I will.

Mr. MANN of Illinois. There is an authorization in the current law and a direction to the Secretary to do this and complete it by June 30.

Mr. KELLEY of Michigan. Yes.

Mr. MANN of Illinois. Now, that is the authorization of law. Is there any authorization of law for the department to do this work beyond the time of June 30?

Mr. KELLEY of Michigan. I do not think, Mr. Chairman, that the time within which the project is to be completed has anything to do with establishing a basis for an appropriation to complete the work. If there is a limitation as to the time within which a work is to be completed, and it has not been completed, the necessity for further appropriation would arise by the very fact that it was not completed within that time, and the authorization for the work is not in any way contingent upon its being finished within the time.

Mr. MANN of Illinois. But here is a direction to the Secretary to do this work and furnish these statements by June 30, 1921. Without that direction there was no authorization for an appropriation. Now, with that direction, that being the basis of the authority for the appropriation, is there any authority for it beyond June 30?

Mr. KELLEY of Michigan. The authority beyond June 30 comes under the rule which permits an appropriation for a work in progress.

Mr. MANN of Illinois. I do not think it is contemplated as work in progress.

Mr. KELLEY of Michigan. The gentleman from Illinois made a point of order against the compilation of the claims to be filed by the Clerk of the House, which also had in it a provision that the work should be completed before a certain date, and that was called to the attention of the Chair, and still he held that it was in order to appropriate a sufficient sum to complete the work, although it carried it beyond the time within which it was originally set by law for completion. So that, unless the Chair overrules this decision which I have cited, there is no force to the suggestion that the date of completion makes any difference with the authorization.

The CHAIRMAN. The Chair sustains the point of order. The Chair does not desire to be understood, however, as overruling the precedent cited by the gentleman from Michigan [Mr. KELLEY]. The Clerk will read.

The Clerk read as follows:

Recreation for enlisted men: For the recreation, amusement, comfort, contentment, and health of the Navy, to be expended in the discretion of the Secretary of the Navy, under such regulations as he may prescribe: *Provided*, That not more than two persons shall be employed hereunder at a rate of compensation exceeding \$1,800 per annum, \$800,000.

Mr. BRITTEN. Mr. Chairman, I reserve a point of order on the paragraph.

The CHAIRMAN. The gentleman will state his point of order.

Mr. BRITTEN. I understood the gentleman from Indiana [Mr. WOOD] wanted to proceed for a moment, and I am willing to reserve my point of order.

Mr. KELLEY of Michigan. What is the point of order?

Mr. BRITTEN. That it is legislation on an appropriation bill. It is not necessary for the maintenance of the Navy to provide for this recreation or for the instruction herein provided under the proviso. I make the point of order against the entire paragraph as being legislation on an appropriation bill.

Mr. KELLEY of Michigan. Mr. Chairman, this matter has been already settled by the Chairman of the Committee of the Whole when the Army bill was before the House. Further than that, I do not imagine there can be anything more directly necessary to the Navy than the preservation of its health. The health of the Navy is dependent very largely upon recreation of various sorts. The morals of the enlisted men of the Navy in no small degree are dependent upon recreation—upon amusement, if you wish to use that term. Can the Chair imagine one of our ships pulling into a foreign port to remain for several days or weeks, and no provision made for the recreation of those men? Health, morals, and every other consideration that ought to move men is involved in an appropriation of this sort. It is absolutely necessary for the health of men at the stations, for their peace of

mind and contentment. Boys become homesick. Let me say to the Chairman that there is no sickness much worse than homesickness. Perhaps he has experienced it at some time or other. And the whole activity involving the care of these boys of 18 or 19 years of age, in the way of recreation and keeping them happy and contented, preventing excesses on shore which interfere with their morals and with their health, is taken care of out of this appropriation.

I call attention to the fact that even by law the commanding officer of every ship is particularly commanded to look after the health of his men. Congress has seen fit to enact legislation demanding that the commander of a ship shall make the health and comfort of his men and their moral safety his first concern. And then to deprive officers of the means by which they can look after the health and comfort and moral safety would be only a mockery. I am surprised more than I can say that my good friend from Illinois [Mr. BRITTEN] should make a point of order against an appropriation to look after the health and comfort and the morals of these young men who are taken out of the homes of the country and sent thousands of miles away from home influences in defense of the Nation and then deprive them of the necessary recreation and protection in foreign ports, where they are surrounded by all sorts of temptation.

Mr. BRITTEN. Mr. Chairman, the gentleman made a very appealing speech for the health and morals and the recreation of 100,000 men to be cared for by two men at a salary not exceeding \$1,800 apiece, as it is provided in this proviso under discussion. But he did not recite the law justifying the inclusion of this language in the bill.

Mr. KELLEY of Michigan. I forgot to read the provision to which I directed the attention of the Chair.

Mr. BRITTEN. He says that he forgot to read the law in his exuberance about the moral condition of the men in the service.

I maintain the section is subject to a point of order, notwithstanding the gentleman's enthusiasm about the morals of the men in the service.

The CHAIRMAN. The gentleman from Illinois makes the point of order on the paragraph beginning "Recreation for enlisted men." The Chair recalls there was some discussion of this matter when the Army bill was under consideration. Not a point of order, I think, but some question was raised against providing moving pictures for Army enlisted men at the various camps, to which the argument was made by one of the members of the committee that—

The purpose of these recreational exercises is largely to keep the enlisted men of the Army in the camps instead of sending them into the town near by to obtain recreation not so innocent. If we can maintain better discipline in the Army and better order in the Army by providing pictures for men to look at in the camp rather than to send them to see vice in a neighboring joint, I think it is quite within our power to appropriate for that purpose, as included in the general purpose of maintaining the Army.

The Chair believes that the reasoning which is there applied to the appropriation for recreational purposes in the Army could equally well be applied to the naval service, and that the appropriation for the recreation, amusement, comfort, contentment, and health of the Navy is necessarily incident to preserving the naval organization and good order, and therefore overrules the point of order.

Mr. BRITTEN. Did the Chairman, in overruling the point of order, include the proviso which I specifically called to the attention of the Chair?

The CHAIRMAN. The proviso is simply a limitation.

Mr. WOOD of Indiana. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The gentleman from Indiana offers an amendment, which the Clerk will report.

Mr. WOOD of Indiana. I move to strike out in line 23, page 7, the figures "\$800,000," and insert in lieu thereof the figures "\$600,000."

The CHAIRMAN. The Clerk will report the amendment offered by the gentleman from Indiana.

The Clerk read as follows:

Amendment offered by Mr. WOOD of Indiana: Page 7, line 23, strike out "\$800,000" and insert in lieu thereof "\$600,000."

Mr. WOOD of Indiana. Mr. Chairman and gentlemen of the committee, I desire to say in support of this amendment that \$800,000 was the sum that was carried in the current law for a personnel of 143,000. It is now proposed that the personnel be reduced to 100,000. Yet they are proposing to carry the same sum of \$800,000 in this item.

The hearings have disclosed the fact that those who are charged with presenting the case in behalf of the Navy Department testified that reductions might be made in items of this character in proportion as we have reduced the size of the Navy, so that \$600,000 does not quite represent the amount of the reduction that ought to be made.

It is not my purpose or desire to take from the Navy sufficient funds for recreational purposes, but it does occur to me that we should at least be consistent, and we are liable to set a precedent here if we permit this sum to remain the same this year as was provided for the current year, when we shall have 43,000 men less, because if the personnel is reduced below 100,000 they can point to the fact that \$800,000 was carried, and that the same amount was given when the Navy was reduced by 43,000 men. By the same sort of logic, if the enlisted personnel of the Navy should in future be increased, they can come and ask for an increase of this fund because of the fact that \$800,000 was allowed for a Navy of 100,000 men. They could contend that therefore they should have a proportionate increase. I think we ought to take these gentlemen at their word—they are always asking for at least as much as they feel that they need—when they said we might take and reduce items of this kind in proportion as we reduced the personnel of the Navy, and it was for that purpose and for the further purpose of saving a couple of hundred thousand dollars, which will be the amount saved under my amendment, that I have introduced the amendment. [Applause.]

Mr. BLANTON. Mr. Chairman, I rise in opposition to the amendment.

The gentleman from Indiana [Mr. WOOD] has not any chance on earth to carry his amendment. He is seeking to reduce the relatively small item of \$800,000 down to \$600,000, thereby seeking to save \$200,000 for the people of the country. But what chance on earth has he to do it? We are now considering under the five-minute rule the great naval appropriation bill, involving \$395,000,000, and the great Republican Party, which promised the people careful retrenchment in expenditures and legislative matters, with the help of us Democrats, has but 51 men on the floor, considering a great bill carrying \$395,000,000, if you please, and no one seems to have very much interest in it at all. Here is a committee packed to carry this bill through. Why, when the distinguished gentleman from Illinois [Mr. BRITTEN]—and I want to tell you right now he would be the last man on earth I would tackle with the gloves on—when he saw fit to jump in here and try to save the people something, had his majority leader, the gentleman from Wyoming [Mr. MONDELL], come in and sit down by him, and he put another man on the other side of him, and the distinguished gentleman from Illinois [Mr. MANN] behind him, and another distinguished gentleman in front of him, and the gentleman from Wyoming then heralded that the bill was going to go through just as the committee wanted it, because he was there to protect it. [Laughter.]

And so the matter goes. I wish it was possible for even a distinguished gentleman like the gentleman from Indiana [Mr. WOOD] to have some chance to carry an amendment of this kind to save money on these big bills. I stay on the floor all the time to help him, but I tell you right now you have no chance at all to do it.

I have found out one thing—that there is just one way to save money for the people of the country on these appropriation bills, and that is the way the gentleman from Illinois [Mr. BRITTEN] is pursuing, to strike items of appropriation out by points of order. Sometimes they get them back again and sometimes they do not; but, thank God, under the present rule—and it is a good one as far as it goes—the Senate can not put on a bill anything subject to a point of order like what they used to do unless the House approves it by a special vote. That is the only way we have got to save money, and I take my hat off to the distinguished gentleman from Illinois [Mr. BRITTEN]. He has braved the powers that be and he has not stumbled or hesitated in doing what he thought best for the country in trying to take money out of this bill; but he is causing this committee some trouble. [Applause.]

The CHAIRMAN. The time of the gentleman from Texas has expired.

Mr. HICKS. Mr. Chairman, I move to strike out the last two words.

The CHAIRMAN. The gentleman from New York moves to strike out the last two words.

Mr. HICKS. Mr. Chairman, now that we have heard from the Rio Grande, I want to confine myself for a moment to the amendment to the bill.

I realize the importance of economy in this bill, but I think this is a time when it is not wholly worth while for us to endeavor to cut down. Those of you gentlemen who have been out on these battleships and have seen the men wearing our uniform, knowing what those men contend against in foreign ports, and realizing the necessity for recreation, confined as they are for weeks at a time in those steel houses—it seems to me that any man who wants to cut down the recreation of these men is not really sizing up the Navy as it is. This is not the Navy of 50 years ago, when we took into it the outcasts of society. To-day

the American Navy is composed of the best blood and the best manhood in America, and we want those men taught along the lines of Christian ideals, of American civilization. Why, think what it means. A battleship lands at Hongkong, and before it reaches that port the moving-picture machine on board will give pictures of all the principal objects of interest in the city of Hongkong, so that those men may know what objects of interest to visit. They have little historical descriptions of all those points of interest. Now, it seems to me that providing for men in that way, and giving them the opportunity to play baseball and all sorts of athletic exercises, gives to the Navy the morale that makes its members not only better citizens but better fighters for the American Government. Therefore, Mr. Chairman, I am heartily opposed to the amendment suggested by the gentleman from Indiana.

Mr. WINGO and Mr. FRENCH rose.

The CHAIRMAN. The Chair recognizes the gentleman from Idaho, a member of the committee.

Mr. FRENCH. Mr. Chairman, the members of the Committee on Appropriations have been very sensitive in the matter of cutting down expenditures of the Government below any point that seems extravagant; but when we came to the item that we are now considering, providing for entertainment, for recreation, and the welfare of the enlisted men of the Navy, it seemed to the committee that it would not be a matter of economy to cut the item below that which is included in the bill. It is true that the number of enlisted men will be somewhat reduced during the coming year, but there is another element that Members fail to remember when they urge a reduction in the item in proportion to the number of men. That is that in large part the expenditure is not upon the basis of the number of men in the enlisted force. There are certain expenses that must go on anyway, whether you are dealing with a group of 40 or 50. There is another fact that gentlemen overlook, and that is that during last year there were various auxiliary organizations, such as the Red Cross, the Knights of Columbus, the Y. M. C. A., and other philanthropic bodies that contributed to this wholesome and beneficent work for the men of the Navy to the extent of more than \$480,000. A very large part, probably most of that money, will not be available during the coming year. But it is necessary that this work be carried on, and that an appropriation such as that indicated in the bill be provided.

The gentleman from New York [Mr. Hicks] has called attention to some of the work on the part of the Navy calculated to be of benefit to the men under this appropriation. He referred to the moving-picture shows touching the places where the men land. I have in my hand a little pamphlet gotten out with the money appropriated by Congress for the Navy Department describing the port of Valparaiso. There were made available during the year when this was gotten out something like 6,000 copies of the pamphlet. They were furnished to the men who entered that port. You will see it describes the port and points of interest.

Similar pamphlets are furnished to the various men making up the enlisted personnel of the Navy as they visit the different ports throughout the world. A matter of that kind can not help but be of the greatest interest to the men and will save them to the greater usefulness of the Navy. Under this item we provide athletic facilities, books, and other literature, entertainments, and just such matter as healthy, normal men need. We went into this question with much care when Admiral Washington was before the committee, and I remember distinctly the statement he made to the members of the committee, that desertions from the Navy occur in greatest number when the men are not employed, when they are not engaged in something useful, something that means either work or wholesome recreation. Here is an item that it seems to me is in the direction of the very highest degree of conservation of the welfare of the men of the Navy, that they may perform their greatest duty to the Navy; and, too, that these men whom we have urged to enlist during the last few years may go back to their homes the splendid types of manhood that they were when they came, and that they ought to be when they return to take their places in the different communities from which they came.

The amendment ought not to prevail.

Mr. McKENZIE. Will the gentleman yield?

Mr. FRENCH. I will.

Mr. McKENZIE. What portion of the \$800,000 is paid to civilian employees?

Mr. FRENCH. The entire amount for the administration work is a little less than \$13,400. We have provided a limitation to the effect that no employee, with the exception of two, under the amount carried in this bill shall be paid in excess of \$1,800.

Mr. WINGO. Mr. Chairman, I move to strike out the last three words. After the commendatory remarks by the gentleman from Texas [Mr. BLANTON] of his collaborer, the gentleman from Illinois [Mr. BRITTON], I presume that they wish to retire for the purpose of indulging in the customary amenities, notwithstanding the Volstead Act, and so I will give them an opportunity by prolonging the debate a little. [Laughter.] Will the gentleman explain to the House, in view of the statement made by the author of the amendment, that this \$800,000 appropriation is identical with the current appropriation, and yet you propose to reduce the enlisted personnel of the Navy. What answer is there to that?

Mr. BYRNES of South Carolina. For the year 1919-20 there was expended \$1,207,763.65 that came from the Y. M. C. A., the Red Cross, and the Knights of Columbus, and from other organizations quite a large sum was contributed for recreation purposes of the Navy. A considerable balance was left for this fiscal year, and it is certain that during the next fiscal year they will receive no contributions from any of these organizations, so that the amount carried in this bill merely represents the suitable reduction in the amount of money available for recreation purposes.

Mr. WINGO. The reason for retaining the \$800,000, the amount carried for the current year, was only to give them sufficient funds to carry on the work that would be necessary for the enlisted personnel in view of the loss of contributions from the Red Cross and the Y. M. C. A.

Mr. BYRNES of South Carolina. The statement made by the representative from the department was that notwithstanding the appropriation there would be a curtailment of the activities of the recreation for enlisted men. Those recreations include not only motion pictures but religious equipment and athletic equipment. My good friend from Indiana [Mr. Wood] complained mostly about the price of the home plate, contending that when he was a boy and played baseball they used the brick for a home plate, and we all recall that bricks made a good home plate. But since that time conditions have changed. Now, when a man is fortunate enough to reach the home plate, he slides into the plate, and if it was a brick he would break his ankle or break his leg, and he would be ruined for the service, and so it is worth while to have the rubber home plate instead of using the old brick home plate. [Laughter.]

Mr. WINGO. That, I presume by the rule of "liberal construction," comes under the health preservation provision. [Laughter.] Mr. Chairman, I withdraw my pro forma amendment.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Indiana.

The question was taken; and on a division (demanded by Mr. Wood of Indiana) there were 13 ayes and 33 noes.

So the amendment was rejected.

MESSAGE FROM THE SENATE.

The committee informally rose; and the Speaker having resumed the chair, a message from the Senate, by Mr. Crockett, one of its clerks, announced that the Senate had passed with amendment bill of the following title, in which the concurrence of the House of Representatives was requested:

H. R. 14311. An act to authorize the improvement of Red Lake and Red Lake River in the State of Minnesota for navigation, drainage, and flood-control purposes.

The message also announced that the Senate had passed with amendments the bill (H. R. 15682) making appropriations for the current and contingent expenses of the Bureau of Indian Affairs, for fulfilling treaty stipulations with various Indian tribes, and for other purposes, for the fiscal year ending June 30, 1922, had requested a conference with the House of Representatives on the bill and amendments, and had appointed Mr. CURTIS, Mr. GRONNA, and Mr. ASHURST as the conferees on the part of the Senate.

ENROLLED BILLS SIGNED.

Mr. RAMSEY, from the Committee on Enrolled Bills, reported that they had examined and found truly enrolled bills of the following titles, when the Speaker signed the same:

H. R. 15344. An act making appropriations for the payment of invalid and other pensions of the United States for the fiscal year ending June 30, 1922, and for other purposes.

The SPEAKER announced his signature to enrolled bill of the following title:

S. 578. An act providing for the survey of public lands remaining unsurveyed in the State of Florida, with a view of satisfying the grant in aid of schools made to said State under the act of March 3, 1845, and other acts amendatory thereof.

NAVAL APPROPRIATION BILL.

The committee resumed its session.

The Clerk read as follows:

Contingent: Ferriage, continuous-service certificates, discharges, good-conduct badges, and medals for men and boys, including civilian employees who render conspicuous service by putting their lives in jeopardy to save life or property; purchase of gymnastic apparatus; transportation of effects of deceased officers and enlisted men of the Navy and of officers and enrolled men of the Naval Reserve Force who die while on duty; books for training apprentice seamen and landsmen; packing boxes and materials; books and models; stationery; and other contingent expenses and emergencies arising under cognizance of the Bureau of Navigation, unforeseen and impossible to classify, \$20,000.

Mr. BRITTEN. Mr. Chairman, I make a point of order against the paragraph, and I call the attention of the Chair to the language in line 1, top of page 8, to these words: "including civilian employees who rendered conspicuous service by putting their lives in jeopardy to save life or property."

That language, Mr. Chairman, was added as a war measure in July, 1918, to an appropriation bill, and it is supplemental and additional to the law in the Revised Statutes, section 1407, providing for medals of honor. This is legislation pure and simple on an appropriation bill, and I make the point of order against it.

Mr. KELLEY of Michigan. What language does the gentleman make the point of order against?

Mr. BRITTEN. To the language, beginning line 1, at the top of page 8.

Mr. KELLEY of Michigan. Mr. Chairman, I concede that the point of order is well taken, and I desire to offer an amendment.

Mr. BRITTEN. Mr. Chairman, I have another point of order to make on the paragraph—in fact, several of them—before any amendments are offered.

The CHAIRMAN. The Chair sustains the point of order.

Mr. BRITTEN. Mr. Chairman, I make the point of order to the language beginning in line 3, page 8:

Purchase of gymnastic apparatus.

That is legislation on an appropriation bill. It provides for the purchase of new materials. The gentleman from Wyoming [Mr. MONDELL] stated a while ago that substances of new character coming into the Navy, such as ships, additions to buildings, and so forth, are new, and I assume that the purchase of gymnasium apparatus is also new.

Mr. KELLEY of Michigan. Mr. Chairman, I do not care particularly about the language; it is old language and is not used any more.

The CHAIRMAN. The Chair does not think that language is subject to the point of order, and the Chair overrules the point of order.

Mr. BRITTEN. Mr. Chairman, I make the further point of order to the language beginning in line 8, page 8:

And other contingent expenses and emergencies arising under cognizance of the Bureau of Navigation unforeseen and impossible to classify.

That is legislation on an appropriation bill.

Mr. KELLEY of Michigan. Mr. Chairman, I call the attention of the Chair to the fact that on January 6, 1921, with Mr. WALSH in the chair, on the sundry civil appropriation bill, the Chair ruled in connection with the words "and other needed work and improvements" that they meant within previous authorizations or within provisions of existing law, and that they would not permit anything that was not authorized by law.

That ruling was concurred in by Mr. HICKS in the chair on January 5, 1921, in the consideration of the Agricultural appropriation bill. A point of order was made to the words "and for other miscellaneous supplies and expenses not otherwise provided." That somewhat enlarged the ruling just cited of the present occupant of the chair.

The CHAIRMAN. The Chair believes that this language in the paragraph headed "contingent," which enumerates several contingencies and then provides for other contingent expenses and emergencies arising in the cognizance of the Bureau of Navigation, and so forth, comes within the precedent established where an emergency fund to meet unforeseen contingencies in the maintenance of the Navy was held in order. The Chair overrules the point of order.

The language to which the point of order was sustained in the first two lines on page 8 is eliminated from the bill by the point of order being sustained.

Mr. KELLEY of Michigan. And the remainder of the paragraph stands?

The CHAIRMAN. Yes.

The Clerk read as follows:

Gunnery and engineering exercises: Prizes, trophies, and badges for excellence in gunnery, target practice, engineering exercises, and for economy in fuel consumption, to be awarded under such rules as the

Secretary of the Navy may formulate; for the purpose of printing, recording, classifying, compiling, and publishing the rules and results; for the establishment and maintenance of shooting galleries, target houses, targets, and ranges; for hiring established ranges, and for transporting equipment to and from ranges, \$100,000.

Mr. BRITTEN. Mr. Chairman, I make the point of order against the entire paragraph as being legislation on an appropriation bill.

Mr. KELLEY of Michigan. Mr. Chairman, I do not think the paragraph is subject to a point of order. The law provides for target practice and it provides for hiring ranges. The fact is that the whole organization of the Navy revolves around the ability of the Navy to shoot.

Mr. BRITTEN. Wherein does the law provide for the hiring of these ranges for target practice, and so forth?

Mr. KELLEY of Michigan. We have the ranges. It is a well-settled principle of parliamentary law that if on an appropriation bill an authorization which was subject to a point of order is permitted to pass, and the authorization is carried into effect, that it becomes an established activity, and, therefore, that you can appropriate to take care of it. That is the situation that we are in now. We have ranges both leased and owned. In fact, when the fleet goes down to Guantanamo Bay every winter the target ranges on shore are leased and some of them are owned by the Government, and the boys are taught shooting of small arms. It is a work in progress, it is an institution of the Navy.

The matter of offering a badge, or a little certificate or writing a boy a letter stating how efficient he has been, is a minor matter of administration and it would be folly for anyone to think that that would require an act of Congress to make it valid. All of this revolves around the main purpose of the Navy, namely, to shoot efficiently. If the Navy can not shoot effectively, it is worthless, and these minor, incidental expenses necessary to increasing the effectiveness of shooting, whether a little badge or a button or a certificate or a letter from the commanding officer, are matters of administration.

Mr. BRITTEN. Mr. Chairman, the gentleman from Michigan recites the desirability of giving badges and of having target practice, promoting the excellence of the enlisted personnel in gunnery, but he fails to call the attention of the Chair to any permanent law for doing that very thing. That is the reason I maintain it is legislation on an appropriation bill. The gentleman will not suggest in all seriousness, I am sure, that the giving of badges is a continuing proposition that should be developed each year as a ship must be handled, or any other instrument of the Navy. It was first provided for in 1888. The giving of trophies is not a continuing proposition, but it is subject to the will of Congress each year in legislation, and has been ever since 1888.

The details of this particular paragraph were amended in 1890 and 1910, and they are legislation on appropriation bills from time to time, and, irrespective of the value of the language from the gentleman's standpoint, my idea is that this legislation properly belongs to the Committee on Naval Affairs under the rules of the House, and, if it does not, I am sure the Chairman will so indicate.

Mr. MONDELL. Mr. Chairman, I am wondering just what the gentleman from Illinois [Mr. BRITTEN] considers the function of the Navy. We all of us have understood the Navy was a fighting machine, so intended and so purposed. If it is, I think that no one could contend or would contend that it is necessary to have specific legislation for every detail of purpose necessary and essential for the maintenance of the Navy. Of course, the Navy has gunnery practice. Of course, the Navy has target ranges. Certainly the Navy must transport equipment from one range to another. If the appropriating committee can not appropriate for these purposes essential to the maintenance of the Navy, then there is no purpose for which an appropriating committee can appropriate. The gentleman from Illinois calls attention to the fact that this legislation has been on the bill for 30 years. That admission casts a peculiar light upon the character of the points of order that are being made by him. Items that have been in existence for 30 years, including all the years that the gentleman from Illinois has been a Member of the Naval Committee, items that everybody approves, items without which the Navy could not function, and yet points of order are now made against them. Just why this is done nobody very clearly understands except it is done simply because a monkey wrench thrown into the machinery for the time being interferes with its functioning smoothly. But to come back to the provisions contained in this item, they are all of them essential to the maintenance, operation, and functioning of a Navy. They are not new; there is nothing about them requiring specific authorization. They deal with classes of activities essential to a navy and relative to which authority to appropriate follows

the authority to provide for the operation and purposes of a navy.

Mr. BRITTEN. Mr. Chairman—

The CHAIRMAN. The Chair is ready to rule.

Mr. BRITTEN. May I proceed for one-half a minute, please? The gentleman from Wyoming [Mr. MONDELL] directed his entire remarks practically toward the maintenance of shooting galleries, target ranges, and so forth. That is very true. That is an item of maintenance, but I call attention of the Chair to the language in the first six lines of this section that has nothing to do with the maintenance of ranges, nor the keeping up of those ranges. The first six lines of this section provide for giving badges, diplomas, and so forth, and are not maintenance in any sense whatever, but legislation pure and simple.

The CHAIRMAN. The Chair is ready to rule. The gentleman from Illinois [Mr. BRITTEN] makes the point of order against the paragraph, and the paragraph contains language which does not appear to be necessarily incidental or requisite for the proper conduct of the Naval Establishment. Further, there is the establishment or maintenance of shooting galleries for which there appears to be no authorization of law notwithstanding the fact that this item has been carried in the bill for many years, and the Chair—

Mr. MADDEN. Before the Chair rules, will he hear me for a moment? Is there any question about the authority of the Secretary of the Navy under the law to make regulations for the conduct of target practice?

The CHAIRMAN. The Chair had not stated about that. If there is any language in the paragraph subject to the point of order, of course, the entire paragraph is.

Mr. MADDEN. If the Chairman will let me finish. If he has the power to make regulations for the conduct of target practice, to encourage economy in fuel consumption, or for the better discipline of the service, or for the encouragement of greater efficiency connected with any activity in the Navy, as he must have under the law, can it be said that under such regulations that he would not have the right to offer prizes, for example, as an encouragement to the men to become efficient and effective? What is the Navy for? Why do we enlist men? Do we enlist them because we want to look at their shape, or because we want them to become perfect in the art of warfare? Do we have target practice just to enlist men or make them efficient; and if we have it for the purpose of making the men efficient, is not it within the scope and power of the Secretary of the Navy to make such regulations as will enable him by the granting of prizes, badges, and other evidence to show his appreciation of the men's work such as will encourage them to go on in the better performance of their duties?

The CHAIRMAN. Will the gentleman permit an inquiry from the Chair?

Mr. MADDEN. I will be delighted. It is always a pleasure to listen to the Chair.

The CHAIRMAN. Does the gentleman contend that the Postmaster General could give prizes to letters carriers, such as badges and trophies, for efficient delivery of the mail, without authorization of law?

Mr. MADDEN. I think it would be the exercise of very great wisdom if he did. I believe it would result in better work in the service if the men were encouraged to more enthusiasm and greater efficiency. And the granting of a prize that costs little or nothing ought to be encouraged and not discouraged.

Mr. NEWTON of Minnesota. Does not the Post Office Department authorize the granting of certain marks of distinction for years of service?

Mr. MADDEN. It does.

Mr. NEWTON of Minnesota. And is there any authority of law for that other than the general regulation authority?

Mr. MADDEN. None whatever. And I believe there can be no better function than the conferring of prizes by the Secretary of the Navy to insure more efficiency in the work of the men who are employed as sailors.

Mr. WINGO. Will the gentleman yield right there?

Mr. MADDEN. Yes.

Mr. WINGO. Is it not an established fact that in all of the navies of the world, growing out of experience, target practice in shooting galleries, with the granting of prizes and trophies, is considered the customary and proper way to build up the personnel?

Mr. MADDEN. The trophy or badge that the sailor or soldier wears indicative of the fact that he has become a sharpshooter or an expert at target practice is one of the things that he prizes more than anything else in the world.

Mr. WINGO. And it is the customary incentive?

Mr. MADDEN. Yes.

Mr. BLANTON. Does not this bill provide for the pay of yeomanettes?

Mr. MADDEN. We have not reached that.

Mr. BLANTON. If it does, that would answer a part of the gentleman's argument.

The CHAIRMAN. The Chair feels that the paragraph contains language that is not necessarily incident to the maintenance of the Naval Establishment. It carries legislation providing for trophies and prizes and also for the establishment of shooting galleries. The Chair sustains the point of order.

Mr. KELLEY of Michigan. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The gentleman from Michigan offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment by Mr. KELLEY of Michigan: Page 8, after line 10, insert: "Gunnery and engineering exercises: For the maintenance of established shooting galleries, target houses, targets, and ranges, and for transporting equipment to and from ranges, \$100,000."

The CHAIRMAN. The question is on agreeing to the amendment offered by the gentleman from Michigan.

The amendment was agreed to.

The Clerk read as follows:

Instruments and supplies: Supplies for seamen's quarters; and for the purchase of all other articles of equipment at home and abroad; and for the payment of labor in equipping vessels therewith and manufacture of such articles in the several navy yards; all pilotage and towage of ships of war; canal tolls, wharfage, dock and port charges, and other necessary incidental expenses of a similar nature; services and materials in repairing, correcting, adjusting, and testing compasses on shore and on board ship; nautical and astronomical instruments and repairs to same; libraries for ships of war, professional books, schoolbooks, and papers; maintenance of gunnery and other training classes; compasses, compass fittings, including binnacles, tripods, and other appendages of ship's compasses; logs and other appliances for measuring the ship's way, and leads and other appliances for sounding; photographs, photographic instruments and materials, printing outfit and materials; and for the necessary civilian electricians for gyrocompass testing and inspection, \$750,000.

Mr. WINGO. Mr. Chairman, I move to strike out the last word. What canal, or rather what canals, require our battleships to pay toll?

Mr. KELLEY of Michigan. I think they have to pay tolls through the Suez Canal. Battleships do not pay toll through the Panama Canal.

Mr. WINGO. I know they do not pay toll through the Panama Canal, but I was under the impression that under our treaties we were not compelled to pay tolls through the Suez Canal. Did the gentleman have occasion to investigate that at all?

Mr. KELLEY of Michigan. I think not. We assumed that it was necessary to pay toll in going through the Suez Canal. If there is no toll paid, there will be no money expended under that head.

Mr. WINGO. Is the gentleman in favor of the battleships paying toll through the Suez Canal?

Mr. KELLEY of Michigan. Of course, the canal is not ours. We might be obliged to do it or go around the other way.

Mr. WINGO. That is a very frank expression of the gentleman's conviction upon it. I withdraw the pro forma amendment, Mr. Chairman.

The Clerk read as follows:

Naval training station, Great Lakes: Maintenance of naval training station: Labor and material; general care, repairs, and improvements of grounds, buildings, and piers; street car fare; purchase and maintenance of live stock and attendance on same; wagons, carts, implements, and tools, and repairs to same, including the maintenance, repair, and operation of one horse-drawn passenger-carrying vehicle to be used only for official purposes; fire apparatus and extinguishers; gymnastic implements; models and other articles needed in instruction of apprentice seamen; printing outfit and material and maintenance of same; heating and lighting and repairs to power-plant equipment, distributing mains, tunnel, and conduits; stationery, books, schoolbooks, and periodicals; washing; packing boxes and materials; lectures and suitable entertainments for apprentice seamen; and all other contingent expenses: *Provided*, That the sum to be paid out of this appropriation under the direction of the Secretary of the Navy for clerical, drafting, inspection, and messenger service for the fiscal year ending June 30, 1922, shall not exceed \$45,000; in all, naval training station, Great Lakes, \$400,000.

Mr. BLANTON. Mr. Chairman, I reserve the point of order for the purpose of asking a question. I thought maybe the gentleman from Illinois [Mr. BRITTEN] had overlooked making a point against this naval training station at Great Lakes, an item of \$400,000.

Mr. BRITTEN. The maintenance of all these stations is permanent law.

Mr. BLANTON. If he wants the Great Lakes station to go in at \$400,000, I have no objection.

Mr. BRITTEN. I am glad to hear the gentleman say that. I was afraid he might object.

Mr. WINGO. Mr. Chairman, I reserve a point of order.

Mr. ANDERSON. Mr. Chairman, I make the point of order that it comes too late, there having been debate on that paragraph.

Mr. WINGO. Well, the gentleman evidently was asleep.

Mr. ANDERSON. Oh, no; the gentleman from Minnesota is never asleep except after 11 o'clock at night.

Mr. WINGO. I thought probably that was true, because I seldom see the gentleman. [Laughter.]

Mr. ANDERSON. The gentleman's eyesight is poor.

Mr. WINGO. It is better to have the eyesight poor than to have the brain working crossways. [Laughter.] The gentleman from Illinois [Mr. BRITTEN] made points of order against these entertainment items on board ships and other items, and yet his grim jealousy does not prompt him to make points of order against entertainment items at the naval training station of the Great Lakes. [Laughter.]

Mr. MADDEN. He is that kind of a watchdog that never barks when his friends are around. [Laughter.]

Mr. MANN of Illinois. Oh, that was because his point of order was overruled before.

Mr. WINGO. The gentleman's colleague has made a satisfactory explanation of his lack of action, and I withdraw the point of order. [Laughter.]

The CHAIRMAN. The pro forma amendment is withdrawn.

Mr. MANN of Illinois. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The gentleman from Illinois offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. MANN of Illinois: Amend, page 11, after line 25, by inserting as a new paragraph, the following:

"To make just compensation for land, title to which was taken over under proclamation of the President, dated November 4, 1918, as an addition to the naval training station, Great Lakes, Ill., and for damage occasioned by delay in the payment for such land, or for the use and occupancy thereof by the United States, \$546,805, or so much thereof as may be necessary: *Provided*, That the Secretary of the Navy is authorized, in his discretion, to dispose of, at public or private sale, at a price to be approved by him, any land in the vicinity of the Navy mine depot, Yorktown, Va., and the naval training station, Great Lakes, Ill., or interest therein, title to, or interest in which has been acquired by the United States subsequent to April 6, 1917, together with improvements placed thereon by the United States that are deemed by him to be no longer needed for naval purposes: *Provided further*, That in cases where compensation has not as yet been made by the United States in accordance with the provisions of law, then, and in that event, the Secretary of the Navy is hereby authorized to restore such lands to former owners, and is further authorized to ascertain, determine, adjust, and pay the just compensation that such former owners are entitled to receive for the use and occupancy of such lands by the United States, such compensation to be paid from appropriations made for payments for such lands: *Provided further*, That the Secretary of the Navy, in determining the compensation for the use and occupancy of such lands, is authorized, in his discretion, to sell and convey, under such terms and conditions as he may deem appropriate, to the parties entitled to receive the land such improvements or any part thereof as may have been placed in or on said lands by the United States: *Provided further*, That the Secretary of the Navy be, and he is hereby, authorized to execute all necessary instruments to accomplish the purposes of aforesaid, and all moneys received from the disposition of such lands shall be covered into the Treasury as 'miscellaneous receipts.' Report shall be made to the Congress of the final disposition of the lands aforesaid."

Mr. BLANTON. Mr. Chairman, I make a point of order against the amendment.

The CHAIRMAN. The gentleman from Texas makes a point of order against the amendment.

Mr. BLANTON. On the ground that it is new legislation on an appropriation bill, unauthorized by law.

Mr. MANN of Illinois. It is subject to a point of order, but will the gentleman reserve it?

Mr. BLANTON. I will reserve it. Possibly the other gentleman from Illinois [Mr. BRITTEN] will desire to make it. [Laughter.]

Mr. KELLEY of Michigan. Would the gentleman from Illinois [Mr. MANN] desire to go on with it now, or wait until in the morning?

Mr. MANN of Illinois. I think it would take some time to dispose of it.

Mr. BLANTON. Mr. Chairman, I have not finished with my statement on the point of order.

Mr. MANN of Illinois. I concede it is subject to a point of order.

Mr. MONDELL. Mr. Chairman, I ask unanimous consent that the pending paragraph may be passed over temporarily until to-morrow morning.

The CHAIRMAN. The gentleman from Wyoming asks unanimous consent that the pending paragraph be passed over temporarily until to-morrow. Is there objection?

Mr. BLANTON. Mr. Chairman, we might as well thrash it out to-night.

Mr. MANN of Illinois. I do not think we will get through with it to-night.

The CHAIRMAN. Is there objection?

Mr. WINGO. Reserving the right to object, is it the idea that you will want to have the committee rise?

Mr. KELLEY of Michigan. In 10 or 15 minutes, and we thought it would be better to leave this until to-morrow.

Mr. BRITTEN. It is half past 5 now.

Mr. MANN of Illinois. I doubt whether we could finish it to-night.

Mr. BYRNES of South Carolina. We have no objection to its going over.

The CHAIRMAN. Is there objection?

There was no objection.

The CHAIRMAN. The paragraph is passed over, and the Clerk will read.

The Clerk read as follows:

Receiving barracks: Maintenance of receiving barracks, \$50,000.

Mr. BRITTEN. Mr. Chairman, I desire to reserve a point of order against the language in lines 18 and 19, page 12—

Receiving barracks: Maintenance of receiving barracks, \$50,000.

Mr. KELLEY of Michigan. This item is not subject to a point of order.

The CHAIRMAN. What is the gentleman's point of order?

Mr. KELLEY of Michigan. I do not know.

Mr. BRITTEN. This language first appeared in the annual appropriation bill July 11, 1919, as a war measure. It is legislation pure and simple on an appropriation bill. It established receiving barracks which many of us believe are not necessary for the maintenance of the Navy. They are an expense. The Navy Department are using old ships in some instances, and in other instances a little office on some dock or pier, and it is styled a receiving barracks.

The CHAIRMAN. Does the gentleman contend that the department has no authority by law to establish receiving barracks?

Mr. BRITTEN. In some instances these barracks are not the property of the Government. They may be property of the municipality or the county, and the Government is paying rent for them as receiving barracks. That condition prevailed during the war and may prevail to-day. My contention is that a receiving barracks is not a necessary institution, as far as this appropriation is concerned; that men may be exchanged from one ship to another or one location to another without a receiving barracks, and that it is legislation on an appropriation bill. It appeared in the bill for the first time in July, 1919, and I maintain that it is subject to the point of order.

The CHAIRMAN. The Chair overrules the point of order. The Clerk will read.

The Clerk read as follows:

Ordnance and ordnance stores: For procuring, producing, preserving, and handling ordnance material; for the armament of ships, for fuel, material, and labor to be used in the general work of the Ordnance Department; for furniture at naval ammunition depots, torpedo stations, naval ordnance plants, and proving grounds; for maintenance of proving grounds, powder factory, torpedo stations, gun factory, ammunition depots, and naval ordnance plants, and for target practice; for the maintenance, repair, or operation of horse-drawn and motor-propelled freight and passenger-carrying vehicles, to be used only for official purposes at naval ammunition depots, naval proving grounds, naval ordnance plants, and naval torpedo stations, and for the pay of chemists, clerical, drafting, inspection, and messenger service in navy yards, naval stations, naval ordnance plants, and naval ammunition depots: *Provided*, That quarterly reports on all gasoline passenger and freight automobiles shall be made on Form No. 124, and one copy of each report shall be filed in the Bureau of Yards and Docks: *Provided further*, That the sum to be paid out of this appropriation under the direction of the Secretary of the Navy for chemists, clerical, drafting, inspection, watchmen, and messenger service in navy yards, naval stations, naval ordnance plants, and naval ammunition depots for the fiscal year ending June 30, 1922, shall not exceed \$2,000,000; in all, \$14,000,000.

Mr. BRITTEN. Mr. Chairman, I make a point of order against the proviso on page 15, line 11:

Provided, That quarterly reports on all gasoline passenger and freight automobiles shall be made on Form No. 124, and one copy of each report shall be filed in the Bureau of Yards and Docks.

I recognize the value of that legislation, but it is pure legislation on an appropriation bill, and I make a point of order against it.

Mr. MONDELL. Will the gentleman yield?

Mr. BRITTEN. Yes.

Mr. MONDELL. If the gentleman recognizes the value of it, why should it not remain in the bill?

Mr. BRITTEN. The gentleman probably was not in the Hall of the House when I stated on numberless occasions to-day and yesterday that it was my intention, by making points of order against this bill, to show the ridiculous situation under which we are operating under the new rule.

Mr. MONDELL. Let me remind the gentleman that last year—

Mr. BRITTEN. I am sure the gentleman wants me to answer his question.

Mr. MONDELL. Yes.

Mr. BRITTEN. The only way that we can bring about a change in the rules of the House is not by sitting down quietly and allowing the Committee on Appropriations and the steering committee to run this House. The way to bring about a change in a rule, if it is undesirable, as most Members of the House think this rule is, is by objection on the floor, and it is my intention to make points of order for that purpose.

Mr. MONDELL. The rules have not changed with regard to this matter in the last year. This provision was in the bill a year ago in this exact form, when the gentleman from Illinois was a member of the committee reporting the bill. If it is ridiculous to have it in the bill now it was ridiculous then, and if the gentleman is so anxious to show that there are matters in this bill that are subject to points of order, why did he not do it last year when his committee reported the bill? The gentleman will not be able to persuade anybody anywhere that there is any purpose of public interest back of the making of a point of order in such a case as this.

Mr. BRITTEN. Will the gentleman yield for a question?

Mr. MONDELL. If I have the floor.

Mr. BRITTEN. Answering the gentleman, I will say that this language I am striking out, or hope to strike out, is my own, inserted at my request because I thought it was necessary.

Mr. MONDELL. And the gentleman moves to strike it out; that only shows how ridiculous his performance is.

Mr. BRITTEN. It is not a performance at all. I am going to show you how ridiculous your rule is.

Mr. BLANTON. The whole thing is ridiculous.

Mr. BRITTEN. I agree with the gentleman.

The CHAIRMAN. The Chair sustains the point of order.

Mr. KELLEY of Michigan. Mr. Chairman, I move to strike out the word "further," in line 15, page 15.

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Page 15, line 15, after the word "Provided" strike out the word "further."

The amendment was agreed to.

The Clerk read as follows:

Purchase and manufacture of smokeless powder, \$200,000.

Mr. MACGREGOR. Mr. Chairman, this provides \$200,000 for the purchase and manufacture of smokeless powder. I would like to ask why, in view of the immense amount of powder in the possession of the War Department, it is necessary to expend \$200,000 on the part of the Navy for smokeless powder?

Mr. KELLEY of Michigan. There are certain sizes of powder that the Navy Department must always purchase. While they may have these great quantities of the larger size they have to go on and manufacture it for small arms. It is a very light operation of the plant at Indianhead. They used to run that plant down there three shifts a day, but now it is run very light.

Mr. Chairman, I move that the committee do now rise.

The motion was agreed to.

Accordingly the committee rose; and the Speaker having resumed the chair, Mr. WALSH, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee had had under consideration the bill H. R. 15975, the naval appropriation bill, and had come to no resolution thereon.

SUNDRY CIVIL APPROPRIATIONS.

Mr. GOOD. Mr. Speaker, I ask unanimous consent that the bill H. R. 15422 be taken from the Speaker's desk and disagree to all Senate amendments and agree to the conference asked for on the part of the Senate.

The SPEAKER. The gentleman from Iowa asks unanimous consent to take from the Speaker's desk and disagree to all Senate amendments and agree to the conference asked for on the bill, which the Clerk will read the title.

The Clerk read as follows:

The bill (H. R. 15422) making appropriations for the sundry civil expenses of the Government for the year ending June 30, 1922, and for other purposes.

Mr. BLANTON. Mr. Speaker, I make the point of order against Senate amendment 143, placed on the bill without authority of law, appropriating \$225,000 for the United States Employment Service; I make the point that it is legislation unauthorized by law on an appropriation bill.

The SPEAKER. It is not necessary that the gentleman should make the point of order now.

Mr. BLANTON. I thought it was in order at any time.

The SPEAKER. We are not considering the bill; the request of the gentleman from Iowa is to send it to conference.

Mr. BLANTON. I ask for a ruling by the Chair.

The SPEAKER. The Chair will rule that this is no time to make the point of order.

Mr. BLANTON. Is not the bill before the House?

The SPEAKER. Not for consideration.

Mr. BYRNS of Tennessee. Mr. Speaker, reserving the right to object, the Senate has placed on the bill amendment No. 60, providing for \$10,000,000 for Muscle Shoals Dam under the national securities defense act. There are a number of Members, including myself, who, if the House conferees should find themselves unable to agree to the full amount proposed by the Senate, would like to have the amendment brought back for the purpose of permitting the House to vote on it. I want to ask the gentleman from Iowa if he is willing to state that if the House conferees find themselves unwilling to agree to the amendment as proposed by the Senate he will report it back in order that the House may have an opportunity to vote on it?

Mr. GOOD. Mr. Speaker, when the Muscle Shoals proposition was before the House I stated on the floor of the House that I understood it was the purpose of the War Department to ask for a deficiency to run the plant during the month of June.

I stated at that time that the Committee on Appropriations proposed to have additional hearings. I have already made arrangements to commence those hearings, just on that proposition, commencing on Monday, for a day or two. There seems to be a demand that that matter should be presented to the House. That being the case, I do not believe it would be advisable for five conferees, three Members on the part of the House, to submit the matter, and I have said that after the hearings I had no objection to bringing the matter back to the House and letting the House pass on it. The House is going to pass on that proposition anyway, and if I do not agree to that, it can be forced to come on the floor of the House. I think it ought to be forced only after we have had a full hearing. I have no objection to saying to the gentleman that the matter can be brought back for action by the House.

Mr. BYRNS of Tennessee. Mr. Speaker, with that assurance, I have no objection to the request.

The SPEAKER. Is there objection?

There was no objection.

The SPEAKER appointed the following conferees on the part of the House:

Mr. GOOD, Mr. MAGEE, and Mr. BYRNS of Tennessee.

LEAVE OF ABSENCE.

By unanimous consent, leave of absence was granted to Mr. McLAUGHLIN of Nebraska, for one day, on account of important business.

ADJOURNMENT.

Mr. KELLEY of Michigan. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; and accordingly (at 5 o'clock and 52 minutes p. m.) the House adjourned until to-morrow, Saturday, February 12, 1921, at 11 o'clock a. m.

REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII,

Mr. CARTER, from the Committee on Indian Affairs, to which was referred the bill (H. R. 1811) making an appropriation to Clarence W. Turner and William B. Hord in payment of services rendered by them to the Creek Nation, reported the same with amendments, accompanied by a report (No. 1318), which said bill and report were referred to the Private Calendar.

PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS.

Under clause 3 of Rule XXII, bills, resolutions, and memorials were introduced and severally referred as follows:

By Mr. WELTY: A bill (H. R. 16075) making it unlawful for any judge appointed under authority of the United States to receive compensation for exercising the duties of arbitrator; to the Committee on the Judiciary.

By Mr. JOHNSON of South Dakota: A bill (H. R. 16076) authorizing bestowal upon the unknown, unidentified British soldier buried in Westminster Abbey and the unknown, unidentified French soldier buried in the Arc de Triomphe of the congressional medal of honor; to the Committee on Foreign Affairs.

By Mr. BROOKS of Illinois: A bill (H. R. 16077) to amend an act entitled "An act to provide for vocational rehabilitation and return to civil employment of disabled persons discharged from the military or naval forces of the United States, and for other purposes," approved June 27, 1918, as amended July 11, 1919; to the Committee on Education.

By Mr. SMITHWICK: A bill (H. R. 16078) authorizing an examination and survey of the harbor of Choctawhatchee Bay, Fla.; to the Committee on Rivers and Harbors.

By Mr. BUTLER: A bill (H. R. 16079) to establish in the Department of the Navy a bureau to be known as the chaplains'

bureau, and for other purposes; to the Committee on Naval Affairs.

By Mr. BRITTEN: A bill (H. R. 16080) to construe a portion of the act approved July 11, 1919, entitled "An act making appropriations for the naval service for the fiscal year ending June 30, 1920, and for other purposes"; to the Committee on Naval Affairs.

By Mr. EVANS of Montana: Memorial of the Legislature of the State of Montana asking for a tariff on all importations of manganese ore; to the Committee on Ways and Means.

By Mr. JOHNSON of Washington: Memorial of the Legislature of the State of Washington favoring the preservation of the American merchant marine; to the Committee on the Merchant Marine and Fisheries.

By Mr. MAY: Memorial from the Legislature of the State of Utah, favoring the bill introduced by Senator King making an appropriation of \$100,000 to be used in surveying public lands in the State of Utah; to the Committee on Appropriations.

By Mr. RIDDICK: Memorial of the Legislature of the State of Montana urging Congress to place a tariff of 1 cent per pound on manganese ore; to the Committee on Ways and Means.

PRIVATE BILLS AND RESOLUTIONS.

Under clause 1 of Rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. FESS: A bill (H. R. 16081) granting an increase of pension to Demmie Inman; to the Committee on Invalid Pensions.

By Mr. GALLIVAN: A bill (H. R. 16082) for the relief of Thomas F. Rose; to the Committee on Invalid Pensions.

By Mr. HAWLEY: A bill (H. R. 16083) granting a pension to Harriet U. Webber; to the Committee on Invalid Pensions.

By Mr. RAKER: A bill (H. R. 16084) for the relief of William M. Phillipson; to the Committee on Naval Affairs.

By Mr. THOMAS: A bill (H. R. 16085) granting an increase of pension to Mary F. Kinser; to the Committee on Invalid Pensions.

By Mr. THOMPSON: A bill (H. R. 16086) granting a pension to Mary E. Cordell; to the Committee on Invalid Pensions.

PETITIONS, ETC.

Under clause 1 of Rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

5675. By Mr. DARROW: Petition of the Consumers' League of Eastern Pennsylvania, favoring the Sheppard-Towner bill; to the Committee on Interstate and Foreign Commerce.

5676. Also, petition of Philadelphia Wholesale Lumber Dealers' Association favoring daylight-saving legislation; to the Committee on Interstate and Foreign Commerce.

5677. By Mr. ESCH: Petition of representatives of the Farm Bureau Association of Ohio, Indiana, Wisconsin, Michigan, Minnesota, Iowa, Missouri, South Dakota, Kansas, and Nebraska, asking for an appropriation to carry on the work of collecting and disseminating information and statistics vital to the farmer; to the Committee on Appropriations.

5678. By Mr. FULLER: Petition of the Western Association of Shoe Wholesalers of Chicago, Ill., opposing the tariff on imported hides; to the Committee on Ways and Means.

5679. Also, petition of John Witzeman and 26 others of La Salle, Ill., urging an amendment to the Volstead Act to permit the manufacture and sale of beer and light wines and opposing the Kellar Sunday observance laws; to the Committee on the Judiciary.

5680. Also, petition of Robert Cummings, president of the Boone County Farm Bureau; H. L. Hough, secretary of the Grundy County Farm Bureau; E. F. Derwent, president of the Winnebago County Farm Bureau; Frank Kash, master of the Winnebago County Grange; W. H. Conklin, president of the Winnebago County Farmers' Institute; H. T. Marsh, of Serena; T. W. Esmond, of Ottawa; and Fred A. Mudge, of Peru, all in the State of Illinois, favoring the bill to regulate the packing industry; to the Committee on Agriculture.

5681. Also, petition of Women's Catholic Order of Foresters of La Salle, Ill.; the Catholic Order of Foresters of Peru, Ill.; and the Catholic Women's League of Rockford, Ill., protesting against the passage of the Smith-Towner bill; to the Committee on Education.

5682. Also, petition of Central Labor Union of Rockford, Ill., favoring resumption of trade relations with soviet Russia; to the Committee on Foreign Affairs.

5683. Also, petition of the citizens' reference bureau of New York City, protesting the passage of the Sheppard-Towner bill

(S. 3259); to the Committee on Interstate and Foreign Commerce.

5684. Also, petition of the Chicago District Ice Association, favoring the Poindexter bill (S. 4204) and the Winslow bill (H. R. 15836); to the Committee on Interstate and Foreign Commerce.

5685. Also, petition of the International Harvester Co., of Chicago, Ill., favoring the Nolan bill (H. R. 15652); to the Committee on Patents.

5686. By Mr. GALLIVAN: Petition of Dorchester Board of Trade, John J. Dailey, secretary, Dorchester, Mass., opposing passage of House bill 15420; to the Committee on Coinage, Weights, and Measures.

5687. By Mr. KELLEY of Michigan: Petition of Women's Literary Club, of Pontiac, Mich., relative to legislation concerning irrigation projects in national parks; to the Select Committee on Water Power.

5688. By Mr. KENNEDY of Iowa: Petition of residents of southern and the first district of Iowa, protesting against the Smith-Towner bill; to the Committee on Education.

5689. By Mr. KING: Petition of Frank W. Baker and 2,700 other citizens of Quincy, Ill., in favor of beer and light wines and opposed to Sunday blue laws; to the Committee on the Judiciary.

5690. By Mr. LAMPERT: Petition of sundry citizens of Chilton, Wis., protesting against the so-called Smith-Towner bill; to the Committee on Education.

5691. By Mr. LUCE: Petition of Division 32 of the Ancient Order of Hibernians, of Saxonville, Mass., protesting against the Smith-Towner bill; to the Committee on Education.

5692. By Mr. LUHRING: Petition of citizens of Evansville, Ind., protesting against so-called Smith-Towner bill; to the Committee on Education.

5693. By Mr. MOONEY: Petition of the City Council of Cleveland, Ohio, protesting against the deportation of Lord Mayor O'Callaghan and favoring the immediate recognition of the Irish republic by the United States Government; to the Committee on Foreign Affairs.

5694. By Mr. O'CONNELL: Petition of Castilian Council of the Knights of Columbus, of New York, opposing the Smith-Towner bill; to the Committee on Education.

5695. Also, petition of Henry C. Finck, musical editor of the New York Evening Post, favoring Senate bill 1551; to the Committee on the Judiciary.

5696. By Mr. HENRY T. RAINEY: Petition of citizens of Cass County, Ill., favoring beer and light wines and protesting against the Sunday blue laws; to the Committee on the Judiciary.

5697. Also, petition of Knights of Columbus, Carrollton Council 1996, of Carrollton, Ill., protesting against the Smith-Towner bill; to the Committee on Education.

5698. By Mr. RANDALL of Wisconsin: Petition of residents of Racine, Wis., requesting an amendment to the Volstead Act permitting the manufacture and sale of beer and light wines; also protesting against the McKellar bill; to the Committee on the Judiciary.

5699. Also, petition of residents of Edgerton, Wis., requesting an amendment to the Volstead Act permitting the manufacture and sale of beer and light wines; also protesting against the McKellar bill; to the Committee on the Judiciary.

5700. By Mr. RIDDICK: Petition of farmers and residents of Daniels County, Mont., asking for enactment of legislation providing Federal aid for farmers to enable them to plant crops in the spring of 1921; to the Committee on Agriculture.

5701. By Mr. SINCLAIR: Petition of Devils Lake, Minot, and Williston, N. Dak., Council of the Knights of Columbus, opposing passage of Smith-Towner educational bill; to the Committee on Education.

5702. Also, petition of citizens of McLean County, N. Dak., protesting against the retention of colored troops in the occupied area of Germany; to the Committee on Foreign Affairs.

5703. By Mr. SNELL: Petition of sundry citizens of Pyrites, N. Y., protesting against the passage of the Smith-Towner bill; to the Committee on Education.

5704. By Mr. STINESS: Petition of Rhode Island State Council, Junior Order of United American Mechanics, proposing that no other language than English be taught in the public schools; to the Committee on Education.

5705. By Mr. TAGUE: Petition of Strathmore Paper Co., of Mittineague, Mass., favoring an immediate modification of the revenue act; to the Committee on Ways and Means.

5706. Also, petition of American War Veterans' Association of Boston and County of Suffolk Employee, favoring the Langley bill (H. R. 15894), and asking that provision be made for a hospital in Boston, Mass., or the immediate vicinity; to the Committee on Public Buildings and Grounds.

5707. Also, petition of James D. Canarie and 5,000 citizens of Boston, West End, Mass., opposing the Smith-Towner bill; to the Committee on Education.

5708. Also, petition of Commonwealth Trust Co., of Boston, Mass., and the Submarine Signal Co., of Boston, Mass., favoring the passage of the Nolan bill; to the Committee on Patents.

5709. By Mr. TINKHAM: Petition of Cumann NaGael Council, American Association for the recognition of the Irish republic, and the Michael Davitt, of the same association, both of Boston, Mass., protesting against the deportation of Lord Mayor O'Callaghan, and against the British army of occupation in Ireland; to the Committee on Immigration and Naturalization.

5710. By Mr. THOMPSON: Petition of Hicksville Chamber of Commerce, of Hicksville, Ohio, urging a protective tariff of not less than 12 cents per dozen on imported shell eggs and other eggs and poultry; to the Committee on Ways and Means.

5711. By Mr. ZIHLMAN: Petition of Baltimore Automobile Dealers' Association; to the Committee on Interstate and Foreign Commerce.

SENATE.

SATURDAY, February 12, 1921.

(Legislative day of Wednesday, February 9, 1921.)

The Senate met at 11 o'clock a. m., on the expiration of the recess.

RIVER AND HARBOR IMPROVEMENTS, 1921 (S. DOC. NO. 384).

The VICE PRESIDENT laid before the Senate a communication from the Secretary of the Treasury, transmitting a communication from the Secretary of War submitting a supplemental estimate of appropriation in the sum of \$362,140.98 required by the War Department for modifications and readjustments of contracts, river and harbor improvements, fiscal year 1921, which was referred to the Committee on Appropriations and ordered to be printed.

WAR MINERALS RELIEF CLAIMS (S. DOC. NO. 385).

The VICE PRESIDENT laid before the Senate a communication from the Secretary of the Interior transmitting, in response to Senate resolution 420, a complete list showing all claims filed or presented under section 5 of the act of March 2, 1919 (40 Stat., 1272, 1274), and showing the names of claimants, the amounts of their claims and when filed, all claims which have been allowed and the amounts thereof, and all claims disallowed and the amounts thereof and the reasons for the disallowance of each; also copies of legal constructions placed upon the above-mentioned act by the Secretary of the Interior, the Attorney General, the Solicitor for the Interior Department, and the Comptroller of the Treasury, which was ordered to lie on the table.

Mr. ROBINSON. I move that the report of the Secretary of the Interior giving certain information regarding the relief of mineral claimants be printed as a Senate document.

The motion was agreed to.

PETITIONS AND MEMORIALS.

The VICE PRESIDENT laid before the Senate a resolution of the Legislature of Utah, which was referred to the Committee on Finance, as follows:

STATE OF UTAH, EXECUTIVE DEPARTMENT,
SECRETARY OF STATE'S OFFICE.

I, H. E. CROCKETT, secretary of state of the State of Utah, do hereby certify that the attached is a full, true, and correct copy of S. C. M. No. 1, petitioning the Congress of the United States to place increased import duties on lead, as appears on file in my office.

In witness whereof I have hereunto set my hand and affixed the great seal of the State of Utah this 4th day of February, 1921.

[SEAL.]

H. E. CROCKETT,
Secretary of State.

S. C. M. No. 1, by Mr. Jenkins, petitioning the Congress of the United States to place increased import duties on lead.

To the Senate and House of Representatives of the United States in Congress assembled:

Your memorialists, the governor and Legislature of the State of Utah, respectfully represent that—

Whereas the production of lead is an important industry of the United States and in the State of Utah affords employment to thousands of persons directly, and indirectly to thousands of others; and

Whereas the market price of lead has receded to the level that existed before the World War, while production costs remain and will remain indefinitely much higher, in consequence of which many mines in this and other States have been compelled to suspend production and others to curtail production, thus depriving thousands of persons of employment; and

Whereas the present import duties on lead are insufficient to enable the United States producers to operate under the working conditions and standards of living to which American miners are accustomed and entitled: Now, therefore,

The governor and Legislature of the State of Utah respectfully petition that import duties on lead be increased as soon as possible in amount sufficient to enable domestic producers to resume and continue operations.

The foregoing memorial was publicly read by title and immediately thereafter signed by the president of the senate, in the presence of the house over which he presides, and the fact of such signing duly entered upon the journal this 1st day of February, 1921.

THOMAS E. MCKAY,
President of Senate.

Attest:

Q. B. KELLY,
Secretary of Senate.

The foregoing memorial was publicly read by title and immediately thereafter signed by the speaker of the house, in the presence of the house over which he presides, and the fact of such signing duly entered upon the journal this 2d day of February, 1921.

E. R. CALLISTER,
Speaker of the House.

Attest:

C. R. BRADFORD,
Chief Clerk of House.

Received from the senate this 3d day of February, 1921.
Approved February 3, 1921.

CHAS. R. MABEY, Governor.

Received from the governor and filed in the office of the secretary of state this 4th day of February, 1921.

H. E. CROCKETT,
Secretary of State.

The VICE PRESIDENT laid before the Senate a resolution of the Legislature of Utah, which was referred to the Committee on Irrigation and Reclamation of Arid Lands as follows:

STATE OF UTAH, EXECUTIVE DEPARTMENT,
SECRETARY OF STATE'S OFFICE.

I, H. E. CROCKETT, secretary of state of the State of Utah, do hereby certify that the attached is a full, true, and correct copy of S. C. M. No. 2, a memorial to the President and Congress of the United States relating to a proposed Federal reclamation project on Green River in the State of Utah, as appears on file in my office.

In witness whereof I have hereunto set my hand and affixed the great seal of the State of Utah this 4th day of February, 1921.

[SEAL.]

H. E. CROCKETT,
Secretary of State.

S. C. M. No. 2. By committee on agriculture. A memorial to the President and Congress of the United States relating to a proposed Federal reclamation project on Green River in the State of Utah.

To the President and the Congress of the United States:

Your memorialists, the governor and Legislature of the State of Utah respectfully represent:

That the Reclamation Department of the Federal Government has appropriated 4,000 second-feet of water to be diverted from Green River at a point near the confluence of Coal Creek and the Green River to be used for reclaiming approximately 564,000 acres of land in San Rafael and Green River Valleys in the State of Utah;

That the climate in said valleys is ideal for the production of fruits and agricultural crops;

That the land to be reclaimed is fertile and adapted for general agricultural purposes;

That the reclamation of said land will furnish homes for many citizens and especially for soldiers, sailors, and marines of the World War;

Therefore we respectfully memorialize you to enact the necessary law and to make the necessary appropriation to carry out the said project.

And your memorialists, as in duty bound, will ever pray.

The foregoing memorial was publicly read by title and immediately thereafter signed by the president of the senate, in the presence of the house over which he presides, and the fact of such signing duly entered upon the journal this 2d day of February, 1921.

THOMAS E. MCKAY,
President of the Senate.

Attest:

Q. B. KELLY,
Secretary of Senate.

The foregoing memorial was publicly read by title and immediately thereafter signed by the speaker of the house, in the presence of the house over which he presides, and the fact of such signing duly entered upon the journal this 3d day of February, 1921.

E. R. CALLISTER,
Speaker of the House.
C. R. BRADFORD,
Chief Clerk of House.

Received from the senate this 3d day of February, 1921.
Approved February 3, 1921.

CHAS. R. MABEY, Governor.

Received from the governor and filed in the office of the secretary of state this 4th day of February, 1921.

H. E. CROCKETT,
Secretary of State.

Mr. KENYON. I present a concurrent resolution of the Legislature of the State of Iowa with reference to the construction placed upon the recent railroad act by the Interstate Commerce Commission holding that the act gives them power over intrastate rates as well as interstate rates, a question of vital moment to the people of the Middle West. I send the concurrent resolution to the desk, and as it is very short I will ask to have it read.

The VICE PRESIDENT. The Secretary will read as requested.